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EARLY HISTORY OF NORTH DAKOTA

ESSENTIAL OUTLINES OF AMERICAN HISTORY

C. A. Lounsberry.

EARLY HISTORY
OF
NORTH DAKOTA

ESSENTIAL OUTLINES OF AMERICAN HISTORY

By

COLONEL CLEMENT A. LOUNSBERRY

Founder of the Bismarck Tribune

ILLUSTRATED

COMPLETE IN ONE VOLUME

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To the North Dakota Pioneers and their successors, the fathers, mothers and children of the North Dakota of today, this work is affectionately dedicated, by

The Author.

Washington, D. C., February 27, 1919.

Col. C. A. Lounsbery, 4-14-23, g.
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PREFACE

"I hear the tread of pioneers,
Of nations yet to be,
The first low wash of waves where soon
Shall roll a human sea."
—*John G. Whittier.*

More intensely interesting than a fairy tale is the story of the development of the great Northwest. It is a story of adventure and of daring in the lives of individuals not unmixed with romance, for there were brave, loving hearts, and gentle clinging spirits among those hardy pioneers, and many incidents and choice bits of legend have been handed down, which I hope may serve to make these pages interesting.

It is a story with traces of blood and tears, illustrating "man's inhumanity to man," for there were some among the early traders who had little regard for the expenditure of these precious treasures, in their pursuit of "Gold! gold! gold! gold!" that is "heavy to get and light to hold," as suggested by Hood—the

"Price of many a crime untold
* * * * * * *
How widely its agencies vary,
To save, to ruin, to curse, to bless,
As even its minted coins express,
Now stamp'd with the image of good Queen Bess,
And now of a Bloody Mary."

It is a story of man's love for man, in the work of the early missionaries, who, in obedience to the command of the Master, went forth into the wilderness to lift up and benefit the "untutored" savage, who only "sees God in clouds, or hears Him in the wind," and to bring refuge to his white children, who had blazed the way, and who were languishing in despair. It is a story of heroic deeds, of patriotic devotion to duty, of suffering and bloodshed and of development.

Whether I am the one to write the story, let others judge.

"Let us probe the silent places, let us seek what luck betide us;
Let us journey to a lonely land I know.
There's a whisper on the night wind, there's a star agleam to guide us,
And the Wild is calling, calling—let us go."
—*Robert W. Service, "The Call of the Wild."*

My family in all of its branches were among the early settlers of New York and New England, frontiersmen and participants in all of the early Indian wars. My mother's people suffered in the Wyoming massacre. Among the slain in that bloody affair were seven from the family of Jonathan Weeks, her paternal ancestor, who with fourteen fatherless grand-children returned to Orange County, New York, whence he came, abandoning his well-developed farm near Wilkes-barre, as demanded by the Indians.

I knew many of the people directly connected with the Minnesota massacre of 1862, and the incidents leading up to it, and the campaign following—settlers in the region affected, prisoners of the Sioux, traders, soldiers, missionaries, men in public life, and many of the Indians. One of the stockades built by the settlers for defense, was situated on the first real property I ever owned, and in a log house within the stockade, my first child, Hattie, wife of Charles E. V. Draper of Mandan, N. D., was born.

In July, 1873, I established the Bismarck Tribune, the first newspaper published in North Dakota. There were then but five villages in North Dakota—Pembina, Grand Forks, Fargo, Jamestown and Bismarck; no railroad, excepting the Northern Pacific under construction; no farms, no agriculture, except the cultivation of small patches by Indians and half-bloods, or in connection with the military posts or Indian agencies; no banks, no public schools, no churches. It was my fate to be one of five (John W. Fisher, Henry F. Douglas, I. C. Adams, Mrs. W. C. Boswell and myself) to organize the Presbyterian Church Society at Bismarck, the first church organization in North Dakota, in June, 1873, and in the autumn of that year I was instrumental in organizing the Burleigh County Pioneers, developed through my direction into the North Dakota State Historical Society, of which I was the first president.

I was at Bismarck when a party of Northern Pacific surveyors started west to survey the line of the road from that point to the Yellowstone River in the spring of 1873, and saw the smoke of battle and heard the crack of rifles, as the engineers were forced to fight, even before they got as far west as the site of Mandan.

I saw Gen. George A. Custer as he marched to his last battle—the massacre of Custer and 261 men of the Seventh United States Cavalry on the Little Big Horn, by the Sioux. Accompanying him was Mark Kellogg, bearing my commission from the New York Herald, who rode the horse that was provided for me—for I had purposed going but could not—and who wore the belt I had worn in the Civil War, which was stained with my blood.

I saw the wounded brought down the Yellowstone and the Missouri, by Grant Marsh, on that historic boat, the Far West, and the weeping widows whose husbands returned not.

The trail of blood, beginning at the Atlantic, taking a new start at the Gulf, extending to the Pacific, and, returning, starting afresh on the banks of the Missouri, came to a sudden check on the banks of the Little Big Horn; but it was not ended, the blood already spilled was not enough. The Seventh United States Cavalry, Custer's Regiment, was again baptized in blood at Wounded Knee, and the end was not reached until the tragic death of Sitting Bull, Dec. 15, 1890.

We have the Indians with us yet—in many instances happy and prosperous farmers, their children attending the schools and universities, the male adults having taken lands in severalty under the Federal Allotment Act, being recognized citizens of the United States, and entitled to the elective franchise in the State of North Dakota.

If I dwell upon Indian affairs, it is because I have been interested in the Indians from childhood. After the battle of Spottsylvania I lay in the field hospital beside an Indian soldier, wounded even worse than I. Not a groan escaped his lips. I admired the pluck and courage, and the splendid service of the Indian soldiers from the states of Michigan and Wisconsin in the Civil War. I have seen them in battle. I have known their excellent service as Indian police, I have seen them in their happy homes, when roaming free on the prairie, and I know their good points. Although I shall picture the horrors of Indian wars in a lurid light, I have no sympathy with the idea that "the only good Indian is a dead Indian," and I am glad to know that they are no longer a "vanishing race," but their numbers are now increasing, and to feel that they have a splendid destiny before them.

I have seen the growth of North Dakota from the beginning, I have performed my part in its development, but in the words of Kipling's Explorer:

> "Have I named one single river? Have I claimed one single acre?
> Have I kept one single nugget?—(barring samples?) No, not I.
> Because my price was paid me ten times over by my Maker,
> But you wouldn't understand it. You go up and occupy."

I feel it a duty, as well as a privilege, to contribute these pages to its history.

Clement Augustus Lounsberry.

Washington, D. C., February 27, 1919.

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PART I

Early History of North Dakota

CHAPTER I

IN THE BEGINNING

A TRAIL OF BLOOD

"Swiftly walk over the western wave, Spirit of Night."
—*Shelley.*

In the beginning God created the heaven and the earth, and the earth was without form, and void; and darkness was upon the face of the deep. And the Spirit of God moved upon the face of the waters. And God said, Let there be light, and there was light.
—*Holy Scriptures.*

Long before the earth took form, the universe existed. Compared with the whole, the earth's proportion is that of a thought snatched from a busy life, a leaf from the forest, a grain of sand from the seashore, a chip from the workshop of Eternal Energy.

Perhaps it existed in impalpable dust, or fragments left when other worlds or celestial bodies were created, hurled together by Almighty Force, forming a burning mass, still burning in the interior, changing but not destroying the material of which it was made. Gases from the flames still form, and finding vent at some weak spot, the explosion and the earthquake follow, and portions shake and tremble, cities are destroyed or buried, and the face of the earth is changed.

Perhaps a crust formed upon the surface of the burning mass when this old earth was young, which, shrinking as it cooled, gave the mountain ranges and the depressions which make the beds of the seas and oceans, and out of the volcanoes, belching forth their clouds of smoke and gases, came the "darkness" which "was upon the face of the deep," and when the darkness disappeared, and life and growth became possible, "the morning stars sang together," for a new world was born.

And that world took its course among the planets, the portion receiving the direct rays of the sun becoming tropical, while immense bodies of ice formed at the poles. "The testimony of the rocks" indicates that when the ice was broken loose, and plowed over the surface of the earth, it was miles in depth. It broke down, and ground to gravel and dust, mountain ranges, leaving here and there the boulders, forming new valleys and new plains, burying the immense mass of vegetation of that earlier period, giving to the world its fields of coal.

Perhaps, under this enormous accumulation of ice, the earth was changed in its axis, possibly by some convulsion of nature. The fact that a large portion of North Dakota was, time and time again, beneath the waters, is apparent to any observer, and in all of the eastern part of the state, the work of the ice is as visible as the stitches of a seamstress upon a completed garment.

Neither life nor light was possible in the earth's earlier stages, and after the creation of all other forms of life, man appeared, and into his organization there was carried every element in nature, whether on the earth, in the waters which surrounded the earth, or in the atmosphere—whether in the chattering ape or creeping thing, in beast or bird, in fish or fowl, in life-supporting or life-destroying principle, and to all these life was added, breathed into man, created indeed from the dust of the earth by Divine Energy. And what is life? We may follow matter and find it in its changing form, but when life passes from its earthly tenement, who can say whither it goeth?

Man ate of the tree of knowledge. That was God-given, and its use brings its reward and its punishment, but death is essential to development, and is as natural as birth. The seasons come, and the seasons go; winter has its work no less than summer; the flowers bloom and fade, and so man is born, matures, and falls into decay, and, like the dead worlds which have performed their missions, passes into dust to be born again into some new form of life.

"The stars shine over the earth,
 The stars shine over the sea;
The stars look up to the mighty God,
 The stars look down on me.
The stars have lived a million years,
 A million years and a day;
But God and I shall love and live
 When the stars have passed away."
—*Rev. Jabez Thomas Sunderland.*

When man appeared upon the face of the earth the strenuous life began. Doubtless from the beginning he "earned his bread by the sweat of his brow" and the quiet life of Abel invited the first flow of human blood, which has formed a continuous trail that marks the course of human development. Without bloodshed there has been no advancement, without bloodshed no redemption; no great reforms have ever gained a masterly headway without bloodshed; no nation has ever been established without its baptism of blood.

Persecution in the old world led to the peopling of the new, and every step in the development of the new world is marked by human blood. There was war between the French and the English colonists, war between the Dutch and their neighbors, and cruelty in most revolting form by those who sailed under the flag of Spain and gained a permanent foothold in the country west of the Mississippi River. And from the beginning the whites were at war with the reds, driving them from one section, then another, destroying their homes, taking from them their wealth of game, and planting within their breasts hatred almost undying. Who does not remember the pathetic words of Tah-gah-jute called

THE FIRST ENCOUNTER
From Abbott's King Philip.

ATTACK ON THE NARRAGANSETTI INDIANS AT SOUTH KINGSTON
From Abbott's King Philip.

"Logan?" He was the son of a white man reared among the Indians, and was known as a Mingo chief—a common term for those Iroquois living beyond the proper boundaries of the tribe. He was named for James Logan, colonial secretary of Pennsylvania, his father's friend. All the members of his family were killed in the spring of 1774, while crossing a river in a canoe, and after the defeat of the Indians in the bloody war which followed, instead of suing for peace with the rest, he sent this message to be delivered to John Murray Dunmore, the last royal governor of Virginia.

LOGAN TO DUNMORE

"I appeal to any white man to say if he ever entered Logan's cabin hungry, and he gave him no meat; if ever he came cold and naked, and he clothed him not. During the last long and bloody war, Logan remained idle in his cabin, an advocate of peace. Such was my love for the whites that my countrymen pointed as they passed by, and said, 'Logan is the friend of the white man.' I had even thought to have lived with you, had it not been for the injuries of one man, Colonel Cresap, who last spring, in cold blood, unprovoked, murdered all the relatives of Logan, not even sparing my women and children, and he an officer in the white man's government! There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it. I have killed many. I have glutted my vengeance. For my country I rejoice at the gleams of peace; but do not harbor a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan? Not one."

KING PHILIP'S WAR

"Here still a lofty rock remains,
    On which the curious eye may trace—
Now wasted half by warring rains,—
    The fancies of a ruder race."
—*Philip Freneau, 1752-1832.*

In July, 1675, the King Philip's war commenced. The old and friendly chiefs, who appreciated the sturdy integrity of the Pilgrims, and their braves who knew what war was, had passed away. The young men who followed them had become proficient in the use of firearms and were chafing for war, and determined to provoke it, but believed they would be defeated unless they avoided shedding the first blood. So they wandered about committing depredations of every kind, sometimes snatching the prepared food from the tables where they appeared as unbidden guests at meal times. They killed the domestic animals of the colonists, sharpened their knives on their doorsteps while boasting of what they intended to do, and finally on Sunday, July 20, 1675, a party of eight called at the home of a colonist and demanded the privilege of sharpening their hatchets on his grindstone, well knowing that it would not be permitted in view of the Pilgrim idea of the Sabbath. They went to another house where the people were at church and ransacked the closets, helping themselves to food; they shot the cattle of other colonists and finally demanded liquor of one and tried to take it by violence when he in his desperation fired on one of them who was slightly wounded, and their purpose was gained—the whites had drawn the first blood, and war was declared and waged in all its fury.

Of the ninety villages which had been settled by the New England colonists, twelve were utterly destroyed during that war, and forty others suffered from fire and pillage. The isolated settlements were nearly all destroyed, the Indians taking but few captives and these being held for torture or ransom.

The traditions of many families run back to King Philip's war, some of the women and children escaping by being placed in an out-of-door brick oven before which wood was piled when the men were called out for the common defense. When the men returned they found the family safe, but the buildings had been destroyed by fire. In Abbott's "History of King Philip," the author graphically tells the story, and concludes with these words: "But the amount of misery created can never be told or imagined. The midnight assault, the awful conflagration, the slaughter of women and children, the horrors of captivity in the wilderness, the impoverishment and mourning of widows and orphans, the diabolical torture, piercing the wilderness with shrill shrieks of mortal agony, the terror, universal and uninterrupted by day or night—all, all combined in composing a scene in the awful tragedy of human life, which the mind of the Deity alone can comprehend."

Plymouth and Bristol counties in Eastern Massachusetts witnessed some of the most exciting episodes of the Indian wars, and the conflicts with King Philip and his warriors occurred frequently in this locality. Their woods and the country lying between the present cities have rung many times with the war whoop of savages, and the waters of Mount Hope Bay, and the many lakes, rivers, and large ponds, have assisted in the transportation of countless parties of attack, and of escape, as well as great councils leading to transactions of far-reaching consequence to the country.

King Philip and about five hundred lodges of his people numbering upwards of three thousand, took up their winter quarters in 1675, near South Kingston, R. I., on an elevated tract of land surrounded by an almost impenetrable swamp. It was fortified by palisades, a ditch and a slashing of some rods in width, and here as at Pequot Hill, they had gathered immense quantities of supplies. December 19, 1675, they were attacked in this position by a force of about one thousand colonial troops and their camp and supplies entirely destroyed. More than one thousand warriors were slain, and a large number were wounded; few of the women and children escaping, although many of the warriors reached the swamp, and continued their warfare until the bitter end in the summer of 1677.

King Philip, however, was killed August 12, 1676, at Mount Hope, R. I. His body was beheaded and quartered and the parts hung up in trees to be devoured by vultures; his wife and children being sold into slavery. This was the fate of the captives generally. Those for whom there was no market were parceled out among the colonists as servants. The tribes engaged in this war were the Wampanoags, Narragansetts and Nipmucks.

Similar scenes were enacted in the Wyoming Valley, Luzerne County, Pennsylvania, July 3, 1778. when more than three hundred settlers were slain.

EXTENDING THE FRONTIER

Before the Revolutionary war, steps were taken to extend the settlement to the west, partly from the impulse to expand, to grow, and partly from a desire to extend the frontier as a measure of protection. This ambition was the leading, moving thought among the great minds of Virginia, and it was sons of Virginia who blazed the way into the trackless wilderness, and took possession of Kentucky, "the dark and bloody ground," where the battles were fought and the minds cultured which made apparent the advisability of the purchase of Louisiana, and contributed so much to its development.

As Washington, then a young surveyor and lowly citizen, extended the lines of survey, he was watched by the red men, who dogged his footsteps and scalped his unfortunate assistants who happened to fall into their hands, and often it became necessary to drop the tripod and compass, and take up the rifle and the knife. That which occurred in his case was true in the life of almost all of the frontier surveyors, and the frontier farmer carried the rifle, as well as the hoe, into the field where the work was done.

When the little band of Virginians passed down the Ohio River on their way to the unknown land, muffled oars guided the Indian canoe behind them, and stealthily treading feet followed their footprints on the land. When they sent their representatives back to Virginia, it was the eloquence, the force and the patriotism of Patrick Henry—and the loving sympathy of his wife, Dorothea, "a gift of God" indeed,—which gave to the settlers 500 pounds of powder, to Kentucky a name as a county in Virginia, and the support necessary to the life of that colony.

Startling and fruitful of results were the incidents in the years of warfare which followed. We find in them the chain of forts, the campaign of "Mad" Anthony Wayne, the battle of Tippecanoe and the war with Mexico.

The horrors of Indian war were again visited on the frontier settlers in the Minnesota massacre of 1862, which brought the trail of blood home to Dakota doors, the story of which will be told with considerable detail in this volume, for it is important that the youth of this fair land should know something of what it has cost to establish liberty, to extend the settlements, and to develop the resources of this country, until now there is no frontier.

> "But the Prairie's passed, or passing, with the passing of the years,
> Till there is no West worth knowing, and there are no Pioneers;
> They have riddled it with railroads, throbbing on and on and on.
> They have ridded it of dangers till the zest of it is gone;
> And I've saddled up my pony, for I'm dull and lonesome here,
> To go Westward, Westward, Westward, till we find a new Frontier;
> To get back to God's own wildness and the skies we used to know—
> But there is no West; it's conquered—and I don't know where to go!"
>
> —*J. W. Foley, "Sunset On the Prairies."*

CHAPTER I—*Continued.*

OUTLINES OF AMERICAN HISTORY

THE FIRST TRADING POSTS—BORDER WARS—FRENCH POSTS—THE ALGONQUINS AND THE IROQUOIS OR SIX NATIONS—INDIAN ALIGNMENT IN THE BORDER WARS—THE TUSCARORAS—A PATHETIC APPEAL—THE CHEROKEES—THE CREEKS, ETC.—ATTEMPTS TO ENSLAVE THE INDIANS—THE MASSACRE AT FORT MIMS—BUFFALO AND BEAVER.

THE FIRST TRADING POSTS

"When the cool wind blows, from the shining snows
On the long, bald range's crest,
I am drunk with song, and the gold days long,
And the big, bare sweep of the West.

Life is not fair, but I do not care,
If only I get my fill
Of wind and storm, and the mellow warm
Of the sun, on the sage-brush hill!"
—*M. E. Hamilton, "The Pagan."*

In 1608, Samuel Champlain established Indian trade in North America as a business by the construction of a line of trading posts, with headquarters at Quebec. This was the beginning of the fur trade, which, extending along the lakes and to the great Northwest, led to the formation of the Hudson's Bay Company in 1670; to the struggle between the rival trading establishments; to the alignment of the Indians in favor of the French or English, and to the strife along the border.

THE BORDER WARS

The English captured Quebec in 1629, but it was restored to France by the peace of St. Germain en Laye in 1642. In 1654, Port Royal, now known as Annapolis, N. S., was captured by the English, but was restored by treaty.

Compte de Buade Frontenac was appointed governor general of the French possessions in North America in 1672, and under his administration, as early as 1680, the French had built military posts at Niagara, Michilimackinac (Mackinaw), and in the Illinois country.

Frontenac inaugurated a vigorous war against the Hudson's Bay Company trading posts, and on the English settlements along the frontier. Sir William Phips (or Phipps), governor of the Province of Massachusetts Bay (1692-1694), in 1690 in an expedition by land and sea from Boston again captured Port Royal, but failed in his attempts to capture Quebec. During Queen Anne's war, 1705 to 1713, Port Royal having been restored to France, was again captured by Col. John Nicholson, in 1710, and renamed Ann-apolis in honor of Queen Anne.

The next year the campaign against Quebec under General John ("Jack") Hill, with 2,000 veterans under Colonel Nicholson, supported by a fleet com-

George Washington

John Adams

Thomas Jefferson

James Madison

James Monroe

John Quincy Adams

PRESIDENTS OF THE UNITED STATES FROM 1789 TO 1829

manded by Sir Howard Walker, failed through disaster to the fleet from a storm on the St. Lawrence River. Queen Anne's war closed in 1713, by the Treaty of Utrecht, and was followed by a few years of peace, between the French and English, the French gradually extending their dominion to the valley of the Mississippi River, forming a chain of forts around the English whose settlements were menaced at every point beyond the Alleghany Mountains.

FRENCH FORTS ON THE BORDER

As stated in Francis Parkman's "Half a Century of Conflict," "Niagara held the passage from Lake Ontario to Lake Erie, Detroit closed the entrance to Lake Huron, and Michilimackinac guarded the point where Lake Huron is joined by lakes Michigan and Superior, while the fort called La Baye, at the head of Green Bay, stopped the way to the Mississippi by Marquette's old route of the Fox River and the Wisconsin. Another route to the Mississippi was controlled by a post on the Maurice, to watch the carrying-place between that river and the Wabash, and by another on the Wabash where Vincennes now stands. La Salle's route by way of the Kankakee and the Illinois was barred by a fort on the St. Joseph, and even if, in spite of these obstructions the enemy should reach the Mississippi by any of the northern routes, the cannon at Fort Chartres would prevent him from descending it."

INDIAN ALIGNMENT IN BORDER WARS—THE SIX NATIONS

The Iroquois, known as the "Five Nations" until joined by the Tuscaroras of North Carolina in 1713, were composed of the Mohawks, Oneidas, Onondagas, Cayugas and Senecas, the Tuscaroras making the sixth of the allied nations.

THE ALGONQUINS

The chief tribes of this family group were the Hurons or Wyandottes, Ottawas, Crees, Chippewas, Urees, Miamis, Menominees, Chippisings, Pottawatamies, Sacs, Foxes, Kickapoos, the Powhatan tribes in Virginia, the Mohegans, Pequots, and other tribes of New England, the several tribes being free to exercise their own preference—the Shawnee, Blackfeet and Cheyennes, and various other lesser tribes.

The Algonquin tribes were bounded on the north by the Esquimaux, on the west by the Dakotas or Sioux, on the south by the Cherokees, the Natchez and Mobilian tribes.

THE HURONS

The Hurons were a people of strong militancy; they were first encountered on the St. Lawrence River in the vicinity of Quebec. In their association with friendly Indians they claimed and were usually conceded the right to light the campfire at all general gatherings.

Their confederacy was known in their language as the Sendat, and finally came to be called Wyandots (Wendat). In the treaty of January 21, 1785, they are recognized as Wyandots. This treaty was also with the Delawares, Chippewas, and Ottawas. It was by the use of firearms obtained from the Dutch that the Iroquois were able to drive the Hurons from the St. Lawrence, when they fled to the Michigan peninsula and to Ohio, where they met new foes in the Sioux.

The Recollet Fathers established a mission among the Hurons in 1615; they were succeeded in 1626 by the Jesuits who remained with them until 1648-50.

The French made a treaty of peace with the Iroquois in 1666, which led some of the Hurons to return to Quebec, where the Notre Dame de Foye was founded in 1667. Descendants of the Hurons still reside in that vicinity.

THE IROQUOIS COUNTRY

In 1713 Canada was contiguous to the northern frontier of New England and New York; all of the territory north of the St. Lawrence River belonged to the French; from the great lakes southward the country was claimed by both French and English; the boundary between New England and Canada and New England and New York, occupied by the Dutch, had not been determined, and was the cause of much trouble.

The Iroquois occupied nearly all of the valley of the St. Lawrence, the basins of lakes Ontario and Erie, the southeastern shores of Lake Huron and Georgian Bay, all of the present New York, excepting the lower Hudson Valley, all of Central Pennsylvania, the shores of the Chesapeake in Maryland, as far as Choptank and Patuxent rivers; with the Tuscaroras added the domain extending from the Ottawa River to the Tennessee and from the Kennebec to the Illinois and Lake Michigan.

The Algonquin tribes completely surrounded the Iroquois territory. The Hurons of this family were invariably allies of the French, the alliance growing out of the fact that at the very beginning of French occupation of North America, Samuel Champlain assisted the Hurons in their warfare on the Iroquois, who had been their relentless foes since prehistoric times; their enmity terminating only with the destruction of their confederacy. The Iroquois on the other hand were generally allies of the English. This alignment continued until the treaty of 1763, when the French made a treaty with the Iroquois. Thereafter the Indian alignment depended upon local considerations.

On Jacques Cartier's first voyage in 1534, when he explored the Gulf of St. Lawrence, he met and traded with the Indians on the present coast of Nova Scotia and New Brunswick. On his second voyage the year following, he ascended the St. Lawrence as far as Stadacona—which name gave place to that of Quebec or Kebec, given by the Algonquins, meaning a contracted waterway—unopposed by the Indians who supplied him with fish, muskrats, and other articles in exchange for the trifles he had brought with him for barter.

THE BOURGADE OR STOCKADE VILLAGE

Iroquois villages discovered by Cartier and Champlain were of great strength. In 1538, on the second of October, Cartier reached Hochelaga, at the foot of the mountain (Montreal), where he says "over one thousand villagers gathered on the banks to greet them with the fervor of a parent welcoming his child."

"The bourgade was round in shape and compassed by a stockade of three rows of stakes, the middle row perpendicular, the outer row inclined towards it. The palisade was two lances high, and at several points adjacent to the palisade were elevated platforms reached by ladders, on which were piled rocks to be used as defensive weapons. The enclosure was entered by a narrow gate. Within were fifty lodges, each fifty paces in length and twelve or thirteen paces in width. In the center stood a common lodge."

Cartier says: "They take no account of the things of this world, being ignorant of their existence."

Champlain, in 1615, writing about the Huron country in the Georgian Bay and Lake Huron region, while resting at the bourgade of Carhagouha, a mission of the Recollet Fathers, says that it "was surrounded for defense with a triple palisade of wood thirty-five feet high," but when he reached the Iroquois villages to the south of Lake Ontario, which resisted his attack and that of his Huron allies, he found another palisaded town "much stronger than the villages of the Allegomantes (Hurons) and others."

At one time when Cartier was concerned by the fancied hostile attitude of the Indians towards him, he protected his fort by a deep ditch, but no attack was attempted. There was a chain of unstockaded Indian villages from Hochelaga up the river to Stadacona.

In 1605, George Weymouth visited Cape Cod, remained some weeks in trade and captured and carried away five Indians intended for slaves, an incident that led to the first encounter by the Pilgrim Fathers.

A PATHETIC APPEAL

The Tuscaroras were hard pressed in North Carolina, many of them having been made captive and sold into slavery. In 1710 they sent a petition to the provincial government of Pennsylvania, attested by eight belts of wampum, embodying overtures for peace. By the first belt, sent by women of mature age, the mothers besought the friendship of the Christian people, the Indians and the government of Pennsylvania, in order to be able to carry wood and water without risk or danger. By the second belt, the children implored room to sport and play without the fear of death or slavery. By the third the young men asked for the privilege of leaving their villages without the fear of death or slavery, to hunt for meat for their mothers, their children and the aged ones. By the fourth, the old men, the elders of the people, asked for the consummation of a lasting peace, so that the forests (the paths to other tribes) might be as safe for them as their palisaded towns. By the fifth, the entire tribe asked for a firm peace. By the sixth, the chiefs asked for the establishment of a lasting peace with the government, people and Indians of Pennsylvania, whereby they would be relieved from those "fearful apprehensions they have for years felt." By the seventh the Tuscaroras begged for "a cessation from murdering and taking them" so that thereafter they would not fear "a mouse, or anything that rustles the leaves." By the eighth, the tribe, being strangers to the people and government of Pennsylvania, asked for an official path or means of communication.

Their petition was denied by the Pennsylvania authorities; but the fact that it moved the Five Nations to take steps to protect them from further encroachments of the white settlers who kidnapped and sold their young people into slavery becoming known in the white settlements, grave apprehension was aroused, and confirmed by the Tuscarora war of 1711-13, which followed, beginning with a massacre in which seventy settlers were killed and many wounded.

During the progress of this bloody war Col. John Barnwell lured a considerable number of Indians to meet him under a promise of making peace, but broke the truce and carried them away to be sold as slaves. May 20-23, 1713, at the palisaded towns in Greene County, North Carolina, 392 were taken prisoners, 504 were killed (192 scalped) and many wounded, making the total loss upwards of one thousand.

Some of the Indians made captive during this war were sold as slaves in South Carolina and some in the northern colonies.

In 1705 the Provincial Council of Pennsylvania enacted a law as follows:

"Whereas the importation of Indian slaves from Carolina, or other places hath been observed to give the Indians of this province some umbrage for suspicion and dissatisfaction, such importation (shall) be prohibited after March 25, 1706."

June 7, 1712, while the Tuscarora war was being waged, an act was passed by the same body forbidding the importation of Indian slaves but providing for their sale to the highest bidder should any be imported.

INDIAN CIVIL ORGANIZATION—WOMAN'S RIGHTS RECOGNIZED

Among the Iroquois, Hurons and other Indian tribes, the mothers of the tribe were allowed to choose the chiefs, subject to confirmation by the male members, and their consent was required in the enactment of all important measures. They owned the home. The first thought of the women was the care of their husbands, and the children; for them they cut and carried the firewood; for them they brought the water, planted, cared for, harvested and stored the crops, they tethered the horses, rowed the boats, built the winter cabins, pitched the summer tepee, the duty of the husband being to defend against the tribal enemies and to supply the meat from the hunting grounds, and to be ready for war at all times.

THE CHEROKEES

The Cherokees were a strong independent branch of the Iroquois occupying the southwestern part of Virginia, western parts of North and South Carolina, the eastern part of Tennessee and the northern parts of Georgia and Alabama.

They joined the Carolina settlers and the Catawbas in their warfare against the Tuscaroras (1711) but formed a part of the Indian league against the Carolinas in the spring of 1715. This league embraced the tribes occupying the country from Cape Fear to the St. Mary's and back to the mountains, and included the Creeks, Yamasees, Appalachians, Catawbas, Cherokees and Congarees, in all about six thousand. About one hundred white settlers were slain in the outlying settlements before there was any warning of danger.

Governor Francis Nicholson of South Carolina negotiated a peace with the Cherokees in 1721, and in 1730, Sir Alexander Cumming, on behalf of the British Government, made a treaty with them with a view to counteracting the efforts of the French to unite Canada and Louisiana by a cordon of military posts through the Ohio and Mississippi valleys. In 1750, the Cherokees were reconciled to the Six Nations, the bloody warfare between them closed, and they became allies of the British and furnished a contingent for the capture of Fort Duquesne (1758) under the command of Col. George Washington, who was a lieutenant-colonel in the command of Gen. Edward Braddock at the battle near the Monongahela River (1755) known as "Braddock's Defeat." In this battle General Braddock was killed and every officer in his command excepting Colonel Washington was killed or wounded. Four bullets passed through Washington's clothing. An Indian chief who participated in the battle informed Washington, fifteen years later, that he had fired a dozen or more fair shots at him and others made special efforts to kill him, but they could not hit him; that they believed that some "Manitou" guarded his life and that he could not be put to death.

In order to supply their needs, the Cherokees on their return to their southern homes took by force from the plantations food which had been refused them, thereby provoking a quarrel which resulted in the death of several whites. To avenge the Indian depredations and to secure the arrest of the guilty parties an invasion of the Cherokee country followed in 1759, under Governor William H. Littleton of South Carolina, with 1,500 men contributed by Virginia and the Carolinas. Dissensions arose in the ranks of the invaders, and as smallpox was prevailing among the Cherokees, Littleton accepted twenty-three hostages to guarantee their good behavior and the surrender of the guilty. The hostages having been placed in Fort St. George at the head of the Savannah River, the Indians attempted their rescue after Littleton's departure and in the assault one of the guards was wounded, whereupon his companions put all of the hostages to death, and an Indian uprising followed, to quell which South Carolina voted 1,000 men and a bounty of £25 for each Indian scalp. North Carolina made the same provision, and authorized holding the captives as slaves. Maj.-Gen. Jeffrey Amherst, who commanded the British forces in America, furnished 1,200 troops, among them the "Montgomery Highlanders." The expedition left Charleston in April, 1760, with instructions from General Amherst to take no prisoners, to put to death all who should fall into their hands, and to lay waste the Cherokee country. These orders were carried out as to a part of the country, and in June, 1761, a stronger force was sent against them under Col. James Grant, governor of East Florida, who enlarged the area of blood and destruction.

MARION AND HIS MEN

> "A moment in the British camp,
> A moment and away,
> Back to the pathless forest,
> Before the break of day."
> —*William Cullen Bryant, "The Song of Marion and His Men."*

The Cherokee war of 1761 commenced with the report which prevailed in 1759, that the Cherokee Indians were murdering the frontier settlers of Carolina, quieting down only to break out again two years later, when the 1,200 regulars were ordered out on a forced march to their relief. May 14, 1761, they were joined at (District) "Ninety-Six" by 1,200 provincials armed with rifles and famous for their superior marksmanship, and this army of 2,400 men attempted to force their way into the Indian country, through a dark defile in the mountains, but the attacking party was received by a concentrated fire from the Indians, poured upon them from every rock and tree, which forced them back to the protection of the main body—following them with hideous yells, and brandishing their tomahawks as long as they dared continue the pursuit.

Then began preparations, aided by other forces of the "Anglo-American" army for waging war in earnest against the Indians, who would naturally fight with desperation to defend the only pass into their country and would follow up a victory with the cruelest slaughter. At sunrise, the British lines having formed in small companies, supporting the provincial riflemen, began to move forward, soon coming in sight of the enemy, who appeared to be restlessly moving backward and forward. The position of the forces and the action in this battle are described by Col. Peter Horry in his "Life of Gen. Francis Marion," a life-long friend and comrade in arms of the author, and in this battle first lieutenant of a provincial company and leader of the party which explored the dangerous pass in the mountains and was repulsed.

Gen. Francis Marion and his men were brought up in this school of warfare. Marion was with Governor Nicholson in his expedition of 1759, and a captain with Colonel Grant in 1761. When Lord Charles Cornwallis adopted the same methods to destroy the patriots in the Revolutionary war that Amherst had ordered for Indian warfare, Marion starting with a force of sixteen men, soon accumulated an army which drove the British troops out of the Carolinas. They had burned the homes of the patriots, destroyed their crops, leaving women and children without food or shelter, reducing many from affluence to abject poverty, but with unbroken spirit; and yet Marion, whose heart went out to the Indians in the bloody wars that had been made upon them, refused to allow his men to retaliate.

THE CREEKS OR SEMINOLES

The Creeks occupied Florida and all that portion of Georgia and Alabama extending from the Atlantic to the highlands. They came in contact with the early explorers and De Soto wintered among the Appalachees, one of their tribes, in 1539-40. The latter became strong friends of the Spanish, who established missions among them and they had become christianized, and industrious, and disposed to peace when, through attacks from the wild tribes, they became involved with the Carolina settlers, and in 1708 Governor James Moore of South Carolina led a strong expedition against them, destroying their villages, their missions, fields and orange groves. Another expedition the next year completed the work of destruction in which the English were aided by other Creek tribes.

The home of the Apalachees was in the region about Tallahassee. They numbered from six thousand to eight thousand people. Governor Moore's expedition carried away 1,000 as slaves; others fled to friendly tribes, and what remained sought refuge with the French at Mobile.

The Creeks were allies of the English in the wars of the Revolution and 1812, and allies generally of the Carolina settlers in their warfare against other Indian tribes. In 1812, they were visited by Tecumseh and his brother, the prophet, and urged to make war on the whites, and occasional local outbreaks followed.

THE FORT MIMS MASSACRE

Early in 1813, becoming alarmed at the threatening attitude of the Indians, 550 men, women and children—white, Indian, mixed bloods and negro slaves—assembled at the plantation of Samuel Mims, near the confluence of the Alabama and Tombigbee rivers, and built a palisaded fort where they became overconfident of their security, as the spring and early summer had passed without manifestations of hostility; but on August 30, 1813, as the dinner bell sounded at noon, 1,000 savages who had been concealed in a nearby ravine, rushed to the fort with terrifying yells and effected an entrance before the gates could be closed.

The well-organized settlers made strong resistance as the battle raged within that small inclosure, from noon until 5 P. M., but all fell except twelve who cut their way through and escaped, and the negroes who were saved for slaves. Not a white woman or child escaped. Four hundred of the inmates lay dead when the battle closed, and about an equal number of Creek warriors fell in the furious fighting.

The massacre aroused the whites of the southwest and Maj.-Gen. Andrew Jackson, seventh President of the United States, who was born in North Carolina, and a Revolutionary soldier at the age of fourteen, bred in an atmosphere of border warfare, and educated in its bitter school, was sent to punish the Indians. The war was soon over, the Indians paying dearly for their bloody work.

THE FIRST SEMINOLE WAR

In the spring of 1817 the Creeks, who had then become known as Seminoles, again began a war on the whites which through the rough and vigorous campaigning of General Jackson resulted in the cession of Florida to the United States by Spain in 1819.

THE SECOND SEMINOLE WAR

This war, commencing in 1835, and lasting until 1842, was begun for the purpose of forcibly removing the Indians from lands which they had ceded to the United States and their removal to other lands. The cost in money was nearly seventy million dollars; 61,000 soldiers were employed and the losses, principally from disease, never fully ascertained, were frightful, but it gave the United States a trained nucleus for the army of occupation in Mexico, which so quickly followed and added lustre to American arms, which the Seminole wars failed to bring.

CONFLICTS DUE TO THE FUR TRADE

The early history and conflicts in all the colonies arose from the fur trade, as between the New York people and the five nations of Indians in Central New York, also between the Dutch and English and the French and English. It led the Russians down our western coast and to contest there till the gold discovery overcame it. The fur trade was the cause of the Oregon question in later years. It was the universal impulse and cause of struggle.

THE BUFFALO AND BEAVER

It is estimated that in 1787 there were ninety millions of buffalo in the present area of the United States proper. There were none north of the St. Lawrence or northeast of the great lakes, but the abundance continued northward from the great plains far into Canada. Indeed the vast herds swarmed from the plains nearer the Mississippi westward to the Rocky Mountains; the abundance being greatest in our territorial days and to preserve the great hunting grounds from the Missouri to the Big Horn region and from the Bear Paw Mountains, down to and beyond the Arkansas was the cause of the hostility and frequent Indian uprisings, including the Sitting Bull wars.

The wealth springing from the fur trade was enormous. The great wealth of the times was concentrated from that source. This trade extended clear across the continent to the Pacific, and led to the successive discoveries of gold, but did not lead settlement like the fur trade which founded the towns and trading posts.

We are surprised at the numbers of the buffalo, but the beavers were found in every state in the Union, and are yet to a limited extent. No other wild or fur bearing animal was so universal. A considerable fur trade is yet carried on in the older northwestern and western states.

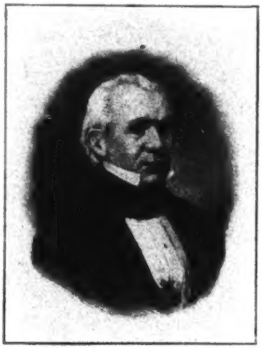
In 1890 to 1895, North Dakota trappers had nearly extinguished the beaver of that whole area. Desiring to restore them, a wise Legislature enacted a law for their preservation, with a heavy penalty attached. The result was satisfactory. United States surveyors in remote regions found thriving colonies of those remarkable rodents in 1898, repopulating many choice streams in happy security.

Andrew Jackson

Martin Van Buren

William H. Harrison

John Tyler



James K. Polk

Zachary Taylor

PRESIDENTS OF THE UNITED STATES FROM 1829 TO 1849

CHAPTER II

OCCUPIED FOR INDIAN TRADE

THE HUDSON'S BAY COMPANY—RUPERT'S LAND—THE NORTH-WEST AND X. Y. COMPANIES—ALEXANDER HENRY'S RED RIVER BRIGADE—THE EMBARKATION—THE INDIAN CONTINGENT—THE INDIAN HUNTING GROUNDS, ABOUNDING IN BEARS, BEAVERS AND BUFFALO—TERRORIZED BY THE SIOUX—THE PARK RIVER POST—STORY OF THE BRITISH FLAG—THE VICIOUS ELEMENT OF LIQUOR—SACRIFICE AND THANKSGIVING—AN ATTEMPT AT BRIBERY—HUNTERS AND THE SPOILS—CONTRACTS WITH THE LORDS OF THE FORESTS—EARLY TRADING POSTS—PEMBINA POST ESTABLISHED.

> "For mankind are one in spirit, and an instinct bears along
> Round the earth's electric circle, the swift flash of right or wrong,
> Whether conscious or unconscious, yet Humanity's vast frame,
> Through its ocean-sundered fibres, feels the gush of joy or shame—
> In the gain or loss of one race all the rest have equal claim."
>
> —*James Russell Lowell.*

THE HUDSON'S BAY COMPANY—RUPERT'S LAND

In 1609 Henry Hudson, a navigator of English birth, sailing under the flag of the Dutch West Indies, ascended the stream now known as Hudson River, discovered by Giovanni de Verrazano in 1524. The next year he explored Hudson Bay, and perished on the voyage. In 1667, the Duke of York and Prince Rupert formed a company in England for the exploration of Hudson Bay with a view to trade, and two vessels were dispatched for the purpose; one of them the Nonsuch Ketch, commanded by Capt. Zachariah Gillam of Boston, reaching Hudson Bay in September of the following year. The winter was spent in that region at Fort Charles. They returned to Boston, and thence to London in 1669, and proceeded to organize the Hudson's Bay Company, which was chartered by Charles II, May 2, 1670, the king himself, his brother the Duke of York, and his nephew Prince Rupert, leading a long list of distinguished stockholders. They were granted exclusive privileges on Hudson Bay and along the streams flowing into the bay and their tributaries, embracing a vast region which came to be known as Rupert's Land, including the Red River country and the streams tributary to the Red River, until restricted by the location of the international boundary after the Revolutionary war.

The Hudson's Bay Company had full power to own, occupy, govern, sell and convey, and were authorized to maintain armies and levy war, if necessary for defense, but for more than one hundred years they had been content to confine their attention to the shores of Hudson Bay, and to trade with the Indians visiting their factories, as their trading posts on the bay were called. But the French traders from Montreal were occupying portions of their country, and were pushing on beyond them, while strong opposition had arisen in England, which demanded the annulment of their charter, or at least an equal opportunity for trade. In 1797, the company extended their trade to North Dakota points on the Red River, and to the Missouri River and other places west and north. They continued to own, occupy and govern Rupert's Land until 1869, when they sold their possessory rights to Great Britain, and in 1870 Rupert's Land became an independent province in the Dominion of Canada, known as Manitoba.

The Hudson's Bay Company, however, continued in business as a commercial organization, in direct competition with which James J. Hill built and operated a fleet of steamboats and flatboats to such advantage that they willingly formed a combination with him to control the transportation business of the Red River. They still occupy and govern leased territory in the British possessions. The building by Mr. Hill of his first steamboat was the initial venture in the Canadian Northwest of the man who died in St. Paul on May 29, 1916, leaving a vast estate, and a reputation unsurpassed in the world of commerce and finance.

THE NORTH-WEST COMPANY ORGANIZED

In 1783 the rival Montreal traders consolidated under the name of the "North-West Company," and pushed its trade into new and hitherto unexplored regions, Sir Alexander Mackenzie leaving on his first expedition on behalf of this company in 1789, exploring the Mackenzie River and making other important discoveries, points on the upper Mississippi having been occupied.

The Hudson's Bay Company had greater resources and were pushing their explorations with much vigor. In 1801 another company was organized, with which Sir Alexander Mackenzie became interested on his return from Europe, known as the "X. Y. Company," these initials being adopted for marking their goods, in order to distinguish them from the "H. B." of the Hudson's Bay Company and the "N. W." of the North-West Company. In selecting this title they chose the letters of the alphabet immediately following the "W" of the North-West Company, to let them know they were right after them, and intended to make their opposition merciless.

ALEXANDER HENRY'S RED RIVER BRIGADE

In the year 1800 Alexander Henry, a nephew of Alexander Henry mentioned in connection with the early fur trade on Lake Superior, but known in history as Alexander Henry, Jr., was the leader of an expedition which set out from Lake Superior with Turtle River for its objective point. It was Henry's intention to establish his headquarters on that stream for use while in charge of the Red River District to which he had recently been assigned by the North-West Company. His party bore the title of "Henry's Red River Brigade."

The manuscript journals of Alexander Henry and David Thompson, 1799-1814, edited by Dr. Elliot Coues, were published by Francis P. Harper, New

York, 1897. Doctor Coues was a surgeon in the United States army and the medical officer on the boundary survey of 1872-1876, and was familiar with much of the country of which Thompson and Henry wrote. Thompson, learned in mathematics and astronomy, was in charge of the location of the boundary line on behalf of the North-West Company of which he was the geographer.

THE EMBARKATION

After a portage of nine miles from Lake Superior to a point on Pigeon River, Alexander Henry and his party left for the mouth of the Assiniboine, on the Red River, July 19, 1800, where they arrived on the 17th day of August.

On starting from Lake Superior the men were each given a two-gallon keg of liquor, and on the fifth day they reached the height of land where they "finished their small kegs and fight many a battle."—Henry's Journal.

At the first stop three leading Indians accompanying the expedition were each given various articles of merchandise, including a scarlet-faced coat and hat, a red, round feather, a white linen shirt, a pair of leggings, a breech clout, a flag, a fathom of tobacco, and a nine-gallon keg of mixed liquors—two gallons of alcohol to nine gallons of water being the usual mixture. After giving them their presents, Henry made a formal address to the Indians, encouraging them to be good and follow him to Turtle River, and not to be afraid of the Sioux, but just as he was giving them their farewell glass, before their return to their tents to enjoy their liquor, some of the women reported that they had heard several shots fired in the meadow. A council was immediately held. Henry ordered them to leave their liquor with him and put off their drinking until the next day, but they had tasted the liquor and must drink, even at the risk of their lives. They requested Henry to order his men to mount guard during the night.

Tobacco, beads and wampum, the shell currency of the early fur trade, were measured by the fathom. Six feet of the cured and twisted tobacco plants, cut in suitable lengths, was called one fathom and had a value equal to one beaver skin. Beads in number having a current value of 60 pence were called one fathom; six strings of wampum—one foot in length—whether in bunch, bundle or belt, or in the form of loose shells sufficient to make that much were called a fathom.* Canoes were also sold by the fathom, according to their length.

Having reached the Assiniboine August 17th, on the 18th the party divided, and that portion intended for the Red River embarked on the 20th. There were four canoes in this party, carrying a total of twenty-one persons. Two horses were led along the shore, and Henry claimed that these were the first introduced into the Red River Valley by the whites. Such an assemblage of canoes was called a "brigade," and the master, standing between the proprietors and the men, was called the "bourgeois."

Each canoe was loaded with twenty-six packages of merchandise, or an equivalent in baggage, each package weighing 90 pounds. The packages were so arranged for convenience in transportation. There were many portages on the route from Lake Superior, ranging in length from short distances to 3,000 feet, over which both canoes and goods were packed, each man carrying from 90 to 180 pounds, the bowman and the helmsman carrying the canoe.

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* See "Exchange, Commerce and Wampum Hand Book, American Indians," "Bureau of American Ethnology Bulletin No. 30."

In the first canoe there were—First, Alexander Henry, the bourgeois; second, Jacques Barbe, voyageur, conductor or bowman; third, Etienne Charbonneau, voyageur, steerer; fourth, Joseph Dubois, voyageur, steerer; fifth, Angus McDonald, voyageur, midman; sixth, Antoine Lafrance, voyageur midman; seventh, Pierre Bonga, a negro servant of Mr. Henry.

Second canoe—Eighth, Michael Langlois (sometimes mentioned as Coloret), clerk, with his wife and daughter; ninth, André Lagasse (sometimes mentioned as Lagace or La Gasser), voyageur, conductor, with his wife; tenth, Joachim Daisville (sometimes mentioned as Danville and once as Rainville in transcribing Henry's Journal), voyageur, steerer; eleventh, André Beauchemin, voyageur, midman; twelfth, Jean Baptiste Benoit, voyageur, midman.

Third canoe—Thirteenth, Jean Baptiste Demerais, interpreter, wife and two children; fourteenth, Jean Baptiste Larocque, Sr., voyageur, conductor; fifteenth, Jean Baptiste Larocque, Jr., voyageur, steerer; sixteenth, Etienne Roy, voyageur, midman; seventeenth, Francois Rogers, Sr., voyageur, midman.

Fourth canoe—Eighteenth, Joseph Masson (or Maceon), voyageur, conductor, wife and child; nineteenth, Charles Bellegarde, voyageur, steerer; twentieth, Joseph Hamel, voyageur, midman; twenty-first, Nicholas Pouliotte, voyageur, midman.

THE INDIAN CONTINGENT

There were forty-five Indian canoes, also called a brigade, loaded with Indians and their families, who accompanied Mr. Henry for the purpose of engaging in hunting and trapping, under an agreement to receive goods on credit to be paid for from the proceeds of the chase.

Flatmouth, a noted Indian mentioned in connection with the explorations of Lieut. Z. M. Pike, was among the Indians, also, Maymiutch, Charlo, Corbeau, Short Arms, and Buffalo. They were mainly Chippewas, usually called "Salteurs" by Mr. Henry, and a small contingent of Ottawas.

September 2, 1800, the brigade divided; a portion remaining for the winter near where Morris, Manitoba, is situated, the others, viz., Henry, Demerais, Bellegarde, Daisville, Rogers, Benoit, the two Larocques, Beauchemin, Lafrance, Barbe, Charbonneau, McDonald and Bonga, going on to Park River.

THE HUNTING GROUNDS—BEARS, BEAVER, BUFFALO, DEER AND OTHER GAME

The large number of bears on Red River and its tributaries, and reported to be on the Sheyenne River and Devils Lake, was a remarkable feature. The territory contiguous to Devils Lake and the Sheyenne was disputed ground, where it was dangerous for either the Sioux or Chippewa to hunt, and became the favorite breeding place for the bears; there they were seldom molested. As the party advanced up the Red River, the Indians killed four otter and three bears. They complained that Henry's men "made so much noise" that they could not kill bears and other large game.

SEVEN BEARS AT THE RIVER

From painting by E. W. Deming, illustrating an incident mentioned by Captain Henry, 1801.

THE WOUNDED BEAR

From painting by E. W. Deming, illustrating an incident mentioned by Captain Henry, 1801.

September 6th the Indians killed four bears and eight deer. While they were pitching their temporary camp, a bear came to the river to drink. Henry shot him, but he ran off, and was found sitting under a brush heap, grumbling and licking his wounds. Another shot killed him. The next day seven bears were noticed drinking from the river at the same time. Red deer were whistling in every direction, and a wolf came near and was killed. The men killed a sturgeon with an axe.

They arrived at Park River September 8, 1800, about 2 P. M., and it being plain that the Indians would go no farther up the river, it was determined to build a post at that point.

TERRORIZED BY THE SIOUX

The Sioux were the terror of all the neighboring tribes, and the enemy of all. They wandered over the prairies in large bodies and in small, attacking when they thought it safe, lying in wait in ravines or timber, to attack women or children, as they came for water, berries or roots. They lingered about the camps in the hope of securing scalps, when they would return to their home as "big Indians," and bask in the sunshine of admiration.

For these reasons, there was an ever-present feeling of dread of the Sioux, not only among the Chippewa, but also among the Mandans, Gros Ventres (Hidatsa) and Arikaras, which led to like raids and like outrages by them against the Sioux.

The Cheyennes formerly occupied the Sheyenne River country. They were friendly to both the Sioux and Chippewa but the latter distrusted them, and about 1740 fell upon them and destroyed their villages, and forced them to flee across the Missouri River, when they became allied to the Sioux. Thereafter, for many years, neither Sioux or Chippewa attempted to hunt in the Sheyenne or Devils Lake country, unless in sufficient force to defend themselves against any attack likely to be made upon them.

About the year 1780, the Chippewa went to York Factory on Hudson Bay for supplies, leaving their old men and women in camp near Lake Winnipeg. During their absence, the Sioux attacked their village and killed a great number of the old men, women and children. The place where this occurred is now known as Netley Creek.

Some years prior to 1800, a wintering trader of the name of Reaume, attempted to make peace between the Sioux and the Chippewa. The meeting was held on the Sheyenne. They at first appeared reconciled to each other, but the Sioux took guns and ammunition away from the Chippewa giving them in return bows and arrows; to some bows without arrows, and to some arrows without bows, and after the Chippewa dispersed on the plains, followed and killed many of them.

In the fall of 1805, there was a battle on the Crow Wing, between the Sioux and Chippewa in which the Sioux were defeated, and on December 29, 1807, an engagement took place between 30 lodges of Sioux and the Chippewa on the Crow Wing, in which the Sioux lost 20 lodges and a great many horses. On this date a battle was fought on Wild Rice River in which the Sioux were defeated.

It required little more than the mention of the name Sioux to create a panic among Henry's Indians. At one time two boys were playing Sioux to frighten the other children. The Indians became alarmed; the warriors stripped to breech-clouts for war, and the women and children were hurried into the fort for safety. Henry's men were called to arms, and the appearance of some of them is described as ghastly; their lips contorted, eyes rolling and countenances pale as death. Any trifling circumstance was sufficient to inflame their imaginations, for the moment at least—on one occasion the slamming of a door caused a sleepless night. But their fears were not always unfounded.

LOCATION OF TRADING POSTS

The choice of the trading posts was largely determined by the presence of beaver dams. Park River, Pembina, Tongue and Turtle rivers, were particularly desirable on account of the dams along those streams. The same was true of the Sheyenne and Knife rivers, and their tributaries, and other streams emptying into the Missouri River or its branches.

The number of beaver dams on Park River influenced Alexander Henry in his choice of it as a site for a trading post. There were beaver dams on almost every creek. These were necessary to the life of the beaver, which in the winter time fed on roots or shrubs to be found under the ice, and on the bark of trees which they were able to fell and haul to their lodges for use in constructing and strengthening their dams, the bark being stripped for food as required.

DEATHS AMONG THE BEAVER

About 1805, an epidemic broke out among the beaver. John Tanner in his "Narrative" gives the following description of this calamity:

"Some kind of a distemper was prevailing among these animals, which destroyed them in great numbers. I found them dead and dying in the water, on the ice and on the land. Sometimes I found one that, having cut a tree half down, had died at its roots; sometimes one who had drawn a stick of timber half way to his lodge, was lying dead by his burden. Many of them which I opened were red and bloody about the heart. Those in large rivers and running water suffered least. Almost all of those in ponds and stagnant water died."

September 8th, Henry's party camped at Park River, and Mr. Henry and Jean Baptiste Demerais went up the river about two miles, and saw two large harts, and killed one on which the fat was four inches thick.

The farther they went up the river the more numerous the bears and red deer became, and on the shore raccoon tracks were plentiful.

THE PARK RIVER POST

Park River, Mr. Henry states, was so named from the fact that the Assiniboine Indians made a park or pound there for buffalo, heading them in from all points, as they became alarmed from any cause, and then slaughtering the number desired.

The spot selected for the fort on September 9, 1800, was on the west side of Park River, about three-quarters of a mile from the mouth. The buildings consisted of a stockade, dwelling house, storehouse and shop, all made of oak, for which 3,114 pieces of timber were used. They were completed on the 20th of September, 1800, and a flagstaff 55 feet high was erected on the 28th. The British Flag, the "First Union Jack," a red flag, with the crosses of St. George of England and St. Andrew of Scotland, presumably the first of any kind to float in North Dakota, was raised every Sunday.

THE EVOLUTION OF THE BRITISH FLAG—ITS ORIGIN AND HISTORY

The first historic mention of an ensign is the cross raised on a banner as the emblem and sign of Christianity. This in the fourth century displaced the monogram of Christ used by the earlier Christians, and was finally adopted as the insignia of the Church of Rome and used by Pope Urban II during the first crusade to indicate the special cause in which his armies were engaged; the several nationalities being known by the form and color of the cross, which was borne not only on their banners but on helmet, shoulder, breast and back. Thus Italy bore the cross of blue; Spain, red; France, white; Germany, black; England, yellow, and Scotland, the white saltire (diagonal cross) of St. Andrew, and the crosses were arbitrarily retained after the crusades as a distinction of nationality, superseded in the course of time by other devices designed by popular choice or royal decree.

In the third crusade, the banner of Richard I (Cœur de Lion) King of England, was a white Latin cross, and remained the English national ensign until appropriated by Simon de Montfort, Earl of Leicester, as a badge of a faction, A. D. 1265, and as early as the reign of Edward III in the fourteenth century, the red cross of St. George on a white ground was adopted as the national banner and the army badge.

Scotland retained her cross of St. Andrew, a white saltire, on a blue ground, from the time of the crusades. The apostle Andrew, a brother of Peter, was the first disciple chosen by Christ. He is the patron saint of Scotland, and Russia has a Knighthood order of St. Andrew, the highest order in rank of that realm. When in 1603, James VI of Scotland was crowned James I of England, and the Scots claimed precedence for their cross of St. Andrew over the cross of St. George, the king, to preserve the peace, on the 12th of April, 1606, commanded all subjects of Great Britain travelling by sea to bear at the mast head the red cross of St. George and the white cross of St. Andrew united according to a design made by his heralds. This flag was called the "king's colors." At the same time all vessels belonging to South Britain, or England, might wear the cross of St. George, and all vessels belonging to North Britain, or Scotland, might wear the cross of St. Andrew, as had been their custom. All vessels were forbidden to carry any other flag at their peril.

The "king's colors" was the "First Union Jack," and contained the blazonry of the rival ensigns of England and Scotland, united by an earlier process than that of quartering, in which the cross and the saltire were blended in a single subject. This was effected by surrounding the cross of St. George with a narrow border, or fimbriation, of white, to represent its white field upon the banner of St. Andrew.

The voyages of the most celebrated English navigators were made under the cross of St. George, but Jamestown, Plymouth, Salem and Boston, were settled under the "king's colors;" many English vessels carrying the cross of St. George according to royal permission. Under the cross of St. George two fleets, numbering in all twenty-eight ships, and carrying 1,700 passengers, sailed from England, in 1630, and populated eight plantations in Massachusetts Bay Colony, under the first charter, in which train bands were formed who bore this cross as an ensign.

During the Civil war in England in 1641, the standard of Charles I was a large blood-red streamer, bearing the royal arms quartered, with a hand pointing to a crown above, and a motto, "give Caesar his due." The badge of the royal troops was red; that of the Parliamentary troops orange, the Scotch blue. The flag in general use during the Commonwealth was blue, with the white canton and cross of St. George, and a harp of Ireland in the field. This was also the admiral's flag. One of the banners was quartered with those of England, Wales, Scotland and Ireland. The first and fourth quarters, white with the red cross of St. George for England and Wales; the second, blue with the white saltire for Scotland; the third, a harp with a golden frame and silver strings on a blue ground for Ireland.

After the death of Charles I, the new council of state on the 22d of February, 1648, restored the red cross as the flag of the navy. In the British colonies the same flag was retained, except in Massachusetts Bay, where all flags had been laid aside except upon Castle Island in Boston harbor where the colors called the king's arms were displayed. In 1651, Parliament ordered the restoration of the old standard of St. George as the colors of England, and they were advanced by order of the General Court on all necessary occasions at Castle Island.

In 1664, two years after the restoration, Charles II sent a fleet of four ships, carrying ninety guns, 400 troops and four commissioners, to New England, where they obtained 200 recruits, and the aid required, and sailed for New Amsterdam bent on conquest, and with further volunteer forces from Connecticut and Long Island achieved their purpose, changed the name to New York in honor of James, the Duke of York, the king's brother—afterward James II—and raised the cross of St. George over the Dutch tri-color. The British colonies in America were then flying the cross of St. George from Labrador to Florida.

In February, 1697, six Union flags, the revival of the "king's colors," were shipped to New York, in response to an application for flags for "His Majesty's Fort."

After this there were slight variations, such as a crimson flag with the cross of St. George and a tree cantoned in the upper staff quarter, and a blue flag with the same cross and a globe instead of the tree, until March 1, 1707, when the flag of the new nation of "Great Britain" in the reign of Queen Anne, was ordered by Parliament to be composed of the crosses of St. George and St. Andrew, the old "king's colors"—the "First Union Jack"—joined on a crimson banner, and that the flag of the admiral, who carried a red flag, should be disused, and the "First Union Jack" substituted therefor. This was declared to be the "ensign armorial of the United Kingdom of Great Britain," and was the national flag for nearly a century under which the most brilliant naval battles were fought. Under its folds the power of France was driven from the East Indies, and successive conquests of her strongholds in North America led up to the Heights of Abraham, where it triumphed at Quebec.

In the flag which the American colonies raised against Great Britain in 1775, were the "king's colors" of the British flag and the stripes, red and white, of the flag of the East India Company, and this was used until the adoption of the stars and stripes, June 14, 1777.

On November 25, 1783, when the British sailed out of the harbor on the evacuation of New York, the cross was lost to view as an emblem of national authority, with two exceptions, viz., the temporary occupation of the British in the War of 1812, and a battle flag of the Southern Confederacy of 1861-'65, described in an address by Col. William O. Hart of Louisiana, November 7, 1913, as designed by Gen. P. G. T. Beauregard; a red square, with the St. Andrew cross of blue with thirteen white stars, one in the center, and three on each arm of the cross. "This flag," said Colonel Hart, "is frequently made oblong, but there is no warrant therefor, and such copies are not correct representations of the original battle flag." When states seceded the emblems of their former fealty to the Union remained fixed stars on the national ensign.

From the first day of January, 1801, the "Second Union Jack," the "Union Jack" of today, superseded the flag of King James and Queen Anne. In consequence of the legislative union, its blazonry must be incorporated with that of Ireland to comprehend the three crosses—St. George, St. Andrew and St. Patrick—in a single device formed by the combination of a cross and two saltires. As before, the blue field of St. Andrew forms the field, then the two diagonal crosses, the one white and the other red, are formed into a single compound saltire of the two tinctures alternating, the white having precedence. A narrow edging of white is next added to each red side of this new figure, to represent the white field of St. Patrick, as the narrow edging of white about the red cross represented the white field of St. George; and, finally, the red cross of St. George fimbriated with white as in the "First Union Jack," is charged over all. In this device the broad diagonal white members represent the silver saltire of St. Andrew; the red diagonal members, the saltire gules (red) of St. Patrick, and the narrow diagonal white lines are added, in order to place the saltire gules on a field argent (silver). It will also be observed that the diagonal red and the broad diagonal white members represent the two saltires of St. Andrew and St. Patrick in combination, and that the fimbriated red cross in front gives prominence to the cross of St. George.

The Royal Standard was adopted January 4, 1801, on the union of Ireland with Great Britain. The quarters were representative of the three countries: England, three couchant lions on a red background in the first and fourth quarters: Scotland, a rampant lion, in the second quarter, taken from the coat-of-arms of James VI, and Ireland, a golden harp on a green background in the third quarter.

Since 1864, the white ensign alone remains the naval flag of Great Britain, the blue ensign the mark of the Royal Naval Reserve, and the red of the merchant service.

LIFE AT THE POST

At 4 o'clock of the day the choice of site was made at Park River, a herd of buffalo came down to drink within a few rods of the camp. At the southward there were herds of them as far as the eye could see, and during the night the camp was alarmed by a large herd at the river. From all directions came the bellowing of the buffalo and the whistling of the deer. The next day a band of deer, followed soon after by four bears, crossed the river, and a day later Mr. Henry, climbing to the top of a tall oak, saw buffalo and deer on all sides.

A stage had been constructed at the camp, and the Indians loaded it with choice meats and bears' fat. The men were employed cutting up and melting bears' fat, which was poured into wooden troughs and sacks, made of deer skins.

Bears made prodigious ravages in the brush and willows. The plum trees were torn to pieces, and every tree that bore fruit shared the same fate. The tops of the oaks were also very roughly handled, broken and torn down to get acorns.

Grizzly bears were killed and many raccoons taken during the fall. The great abundance of both red and fallow deer is frequently mentioned. The men are reported as taking many wolves and some fishers. The female wolves enticed the dogs from the fort, and when they came back they were horribly chewed up by their wild cousins. The coons had two inches of fat on their backs. The hunters came in from Grand Forks with thirty beavers. The sturgeon continued to jump day and night and many were taken in nets extended across the river—sometimes upwards of 100 a day, weighing from 30 to 150 pounds each.

September 20, 1800, the day the fort was finished, the Indians having gone a few miles above Park River, reported that they had killed forty bears, some red deer, moose and a few beavers. The Indian lad at the fort killed two bears.

THE VICIOUS ELEMENT OF LIQUOR

At this time intoxicating liquor was being used by the rival traders as a leading element to attract trade, and was distributed among the Indians by the keg, jug or bottle, to any who might apply—often without price—and sometimes used to incite the Indians to plunder, and in some instances to murder those who interfered by successful competition. The Indians had become demoralized and degenerated to an extent almost beyond belief. As one writer described the situation: "Indians were warring with Indians, traders with traders, clerks with clerks, trappers with trappers, voyageurs with voyageurs."

While the post was being built at Park River, the Indians were given a keg of rum "to encourage them to pay their debts," and supposing the Indian might now drink in safety, on September 18th, Mr. Henry began to trade rum, and they were soon drunk, men and women, and some of the children.

On September 21st, the Indians were sent nine gallons of mixed liquor, and the following day paid their debts with pelts caught on their hunt, and received more liquor, with the usual result. Henry took the children into the fort, for

HUNTING THE GRIZZLY BEAR
From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

HERDS OF BISON AND ELK ON THE UPPER MISSOURI
From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

their safety, and about midnight one of the Indians tried to chop his way through the gate to get more liquor. On September 28th, when the flagstaff was raised at the fort, the men were given two gallons of alcohol and some tobacco and flour "for merry-making."

SACRIFICE AND THANKSGIVING

October 17th, the Indians having killed a grizzly bear, thereby taking the life of an uncommon animal, in order to properly render thanks to Manitou and appease the spirit of the bear, it was thought necessary to give a feast, and liquor was believed to be the most effective agent in gaining the favor of Manitou and satisfying the bear's ghost. They secured the liquor and a quarter of a yard of red cloth for a sacrifice.

AN ATTEMPT AT BRIBERY

After all, human passion unrestrained is about the same among all men, and impulses are liable to take the same direction.

October 25, 1800, Henry's hunter reported that the leading Indians wanted him to stop hunting so that Henry would be obliged to pay a higher price for meat, whereupon the bourgeois ordered that thereafter the Indians should receive no liquor excepting in exchange for meat. This created consternation among the Indians disposed to make trouble. They attempted to bribe the hunter by giving him a drum trimmed with all of the symbols of the Wabbano medicine, and a number of different articles of superior value and high consideration among the Indians, such as rarely fail to bring satisfactory results when given to accomplish some particular object, but they were not sufficient to sway the hunter from his loyalty to his employer.

On the retirement of the Indians, Henry treated his people to a gallon of alcohol and a few pounds of sugar, in order that they might make a feast after their arduous labor in establishing and building the Park River Post.

"October 31st, Indians drinking quietly.

"November 2d. Gave the Indians liquor after their successful hunt.

"November 4th. Gave the Indians a nine-gallon keg of liquor on their promise to pay their debts on their return from the hunt."

Every opportunity was seized for an occasion to encourage the use of intoxicating liquor for the reason that the trader's greatest profit was in its sale, and gave him an advantage over the Indians, who, by its use became incapable of protecting their interests. January 1, 1801, the new year was ushered in by several volleys which alarmed a camp of Indians near by. The men came running in armed, having ordered the women to hide themselves. But they were agreeably received and got a share of "what was going"—some shrub and cakes. Every man, woman and child was soon at the fort; all was bustle and confusion. Henry gave his men some high wine (alcohol), flour and sugar; "the Indians purchased liquor, and by sunrise every soul of them was raving drunk, even the children." On the 19th there was another drinking match among the Indians. An Indian shot his wife with an arrow through her body and her supposed lover through his arm.

HUNTERS AND THE SPOILS

A very successful winter was spent at Park River. Henry took at his station, 643 beaver skins, 125 black bear, 23 brown bear, 2 grizzly bear, 83 wolf, 102 red fox, 7 kitt, 178 fisher, 96 otter, 62 marten and 97 mink.

Michael Langlois, clerk on the Red River Brigade, who remained in charge of the party at Morris during the winter of 1800-'01, had also a station at Hair Hills (Pembina Mountains) that winter. The returns showed 832 beaver skins, 52 black bear, 20 brown bear, 4 grizzly bear, 111 wolf, 82 red fox, 9 kitt, 37 raccoon, 108 fisher, 60 otter, 26 marten, 68 mink and various other skins, bags of pemmican, kegs of grease and bales of meat.

André Lagasse, "a voyageur, conductor," in the Red River Brigade was sent from Morris to trade with the Indians in the Pembina Mountains the winter of 1800-'01. With him went Joseph Dubois, "voyageur, steerer or helmsman," and later they were succeeded by Joseph Hamel, "voyageur and midman" in the Red River Brigade.

Nicholas Rubrette and Francois Sint were employees of Henry in 1800 and later.

CONTRACTS WITH THE "LORDS OF THE FORESTS"

Contracts were made with the Indians by Mr. Henry for the season. For an agreement to procure sixty beaver skins they were allowed credit to the extent of twenty skins. Thread and other necessary little things were supplied gratis. On returning from their hunt, if they paid their debts their credit was renewed to the same extent as before. All transactions with the Indians of those times were based on beaver skin values.

Articles given gratis to the Indians who took credit, were one scalper, two folders and four flints each to the men, and to the women two awls, two needles, one skein of thread, one fire steel, a little vermilion, and a half a fathom of tobacco.

LITTLE CRANE, THE HUNTER

Little Crane, a Chippewa member of Henry's Indian Brigade, on September 12, 1800, while they were building the fort at Park River, was appointed "hunter" to receive for the season the value of sixty beaver skins and to be furnished with gun and ammunition, and clothing for himself and wife.

CROOKED LEGS

September 24-26, 1800, inclusive, Little Crane hunted with Crooked Legs, Crow (Corbeau) and Charlo. The hunter killed a bear and a deer. Crooked Legs killed a bear, and they, with Corbeau and Charlo, returned to the post, each with a good pack of beaver skins. They found plenty of beavers, and only killed what they could carry.

While celebrating at Park River, Crooked Legs stabbed his young wife, after having been beaten by her, wounding her so severely that there was little hope for her recovery. In the demonstration against him which resulted, his own son joined, all being as it is written, "blind drunk," with Crooked Legs sitting in his tent singing, and saying he was not afraid to die. But Mr. Henry opportunely interfered, and Crooked Legs was forgiven by every one but his wife. On this occasion, it is said that the Indians kept up the carousal until there was a rumor that the Sioux were coming, when they ceased drinking. To his credit it is recorded, that when Crooked Legs realized that his life was saved, he "sobered up," and being a "great doctor," used his skill to cure his wife's wounds, which attention seems to have been received by her with slight appreciation, but accepting her censure with humility, he urged her to take courage and live. Evidently she consented, for in another fit of intoxication, it is alleged, she beat him and severely roasted him with a fire brand.

CHARLO

The career of Charlo as a hunter was very brief, and the first mention of him in "Henry's Journal" shows him in a bad light, offering to sell his twelve-year-old daughter to Mr. Henry for a dram of liquor, and his propensity for drink was again demonstrated on September 11, 1800, when he received liquor in pay for four bear skins. His brother Maymiutch, four days later, while hunting with Mr. Henry killed the same number of bears.

Mr. Henry desired to visit Grand Forks, and other points on the Upper Red River, with a view to considering the possibilities of trade, and invited Charlo to go with him, but Charlo feared the Sioux. However, on the promise of a keg of liquor on his return he risked his life and went to Grand Forks, and by an offer equally tempting, namely, "a treat" when he got back to Grand Forks, he was induced to go on to Goose River, but here he balked. Goose River was the limit. He returned to Grand Forks, received his "treat" and after the first drink wanted to go at once and invade the Sioux country; after the second he was ready to go alone, and it was necessary to restrain him after the third. He would advance to the edge of the darkness surrounding his camp fire, and shaking his fist call the Sioux "dogs," and "old women," and invite them to come on and he would do the rest. He finally fell into the deep sleep of intoxication and the Sioux troubled him no more.

After all Charlo was not worse than his white cousins of a later period, one of whom after taking a drink of Moorhead whiskey was sure he could whip any man in that city, and after each successive drink extended the area of his influence until he became exhausted, when he murmured softly: "I tank I take in too much territory."

Charlo's wife died and he obtained a keg of rum "to help wash the sorrow from his heart," and to aid his friends in properly lamenting her departure. A few days later his daughter died, and not long after still another daughter, and Charlo had two more occasions for over-indulgence which he did not fail to improve.

Something was always happening to Charlo. He was taken very ill and the medicine man was called, but before he arrived Charlo's sister-in-law came and sat beside him, screaming and howling, calling on his deceased wife by name and frequently sobbing, but was soon the gayest of those in attendance. When the doctor came he began beating a drum, singing, dancing, tumbling and tossing and blowing on the sick man, until he worked himself into a foam, when, redoubling his exertions, he burst his drum, trampled it in pieces and went away exhausted. His patient is described as having been "almost worried to death."

January 15, 1801, Charlo died. His brother, Maymiutch, wanted liquor with which to properly show his grief. He said he knew why his brother died, and why his wife and two children passed away, all within a few months of each other. It was because Charlo went to Mouse River and stole three horses and the white men there threw "bad medicine" on him. He knew Henry did not do it, but his friends advised him to take revenge on him. He would not do that, but he did want some liquor. His brother he said was a bad Indian who stole horses, cheated the traders, and never paid his debts, so that even though they had caused his death he would not blame them, but his heart was oppressed and he wanted a "drink."

EARLY TRADING POSTS

In 1664, Daniel de Greysolon Sieur Duluth established a trading post at Lake Nipigon, extending his explorations to the region of Minnesota and Dakota, and in 1728, was followed by Sieur Pierre Gaultier de la Verendrye, who also built a trading post that year on Lake Nipigon; in 1731, he built another on the Lake of the Woods, and in 1733, still another on Lake Winnipeg. He visited the Red River Valley and extended his explorations to Grand Forks, which appears to have been so called by him from the confluence of the Red Lake and Red rivers. In 1736, his son and twenty of his men were killed by the Indians on the Lake of the Woods.

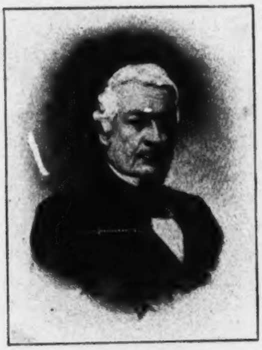
At this period rival factions of Montreal traders were occupying the country, between whom bitter warfare was being waged, each trying to incite the Indians against his opponents, and against the Hudson's Bay Company, which was inimical to both, until the Indians were on the point of uprising.

In February, 1913, a leaden plate buried by Verendrye at the present location of Fort Pierre, S. D., was discovered by school children, and passed into the possession of the state historical society in March, 1916.

THE SMALLPOX SCOURGE OF 1780

In the year 1780, appeared the great scourge of smallpox at the Mandan Villages; and through the Assiniboines, who attacked the villages during the prevalence of the disease, it became epidemic throughout the whole Northwest, continuing until 1782, entirely destroying some bands and depleting others to an alarming extent. It is claimed that of one band of 400 lodges, but ten persons survived, and of the large number of traders who had occupied that country but twelve remained.

In 1783, came the North-West Company, composed of Montreal traders consolidated. In 1784, Peter Grant, a young man twenty years of age, entered the service of that company, and ten years later, about 1794, established a trading post on the ground where now stands St. Vincent. It was on the east side of the Red River, at the mouth of the Pembina River, then called "Panbian" River,



Millard Fillmore

Franklin Pierce

James Buchanan

Abraham Lincoln

Andrew Johnson

PRESIDENTS OF THE UNITED STATES FROM 1849 TO 1869

and is mentioned by Alexander Henry as being the first post established by the North-West Company on the Red River. Jean Baptiste Cadotte was at Red Lake in 1796-7 and had a wintering establishment at the mouth of the Clearwater River, in 1798.

The Red River country prior to 1797, had received visits from traders in the winter, and there had been wintering establishments for the purpose of trading, but no permanent posts until Pembina was established in 1801.

John Tanner, called the "White Captive," author of "Tanner's Narrative," was among the Indians in the Red River country in 1797, and found no Indians or whites at Pembina, a short time previous to the building of the post there in that year by Charles Baptiste Chaboillez, who named his post "Fort Panbian."

A considerable settlement of Indians followed the building of the post, and in March, 1798, David Thompson was entertained by Chaboillez while locating the international boundary line in the interest of the North-West Company, visiting also, a post known as Roy's House on the Salt River, which like that of Chaboillez at Pembina, and Grant at St. Vincent, had disappeared when Henry visited these points in September, 1800.

PEMBINA POST ESTABLISHED

The Park River post having been abandoned May 4, 1801, and the Langlois party having joined Henry's, the reunited Red River Brigade moved down the river to the spot selected originally by Chaboillez, and established the post at Pembina. Chief Tabishaw and other Indians arrived on the 8th. Nothing was then seen of the Indian settlement that was said to have been near the old Fort Panbian, erected by Chaboillez, which had entirely disappeared.

CHAPTER III

THE BUFFALO REPUBLIC

RICHES OF THE INDIANS—THE VAST HERDS OF BUFFALO—A BUFFALO HUNT ON THE SHEYENNE—RUNNING THE BUFFALO—MAKING PEMMICAN—THE BUFFALO REPUBLIC—THE MISSOURI RIVER BLOCKADED BY BUFFALO—THE LAST GREAT HUNT.

"Upon the Michigan, three moons ago,
We launched our pirogues for the bison chase,
And with the Hurons planted for a space,
With true and faithful hands, the olive stalk;
But snakes are in the bosoms of their race,
And though they held with us a friendly talk,
The hollow peace tree fell beneath their tomahawk."
—*The Oneida Chief to the Planter—Campbell.*

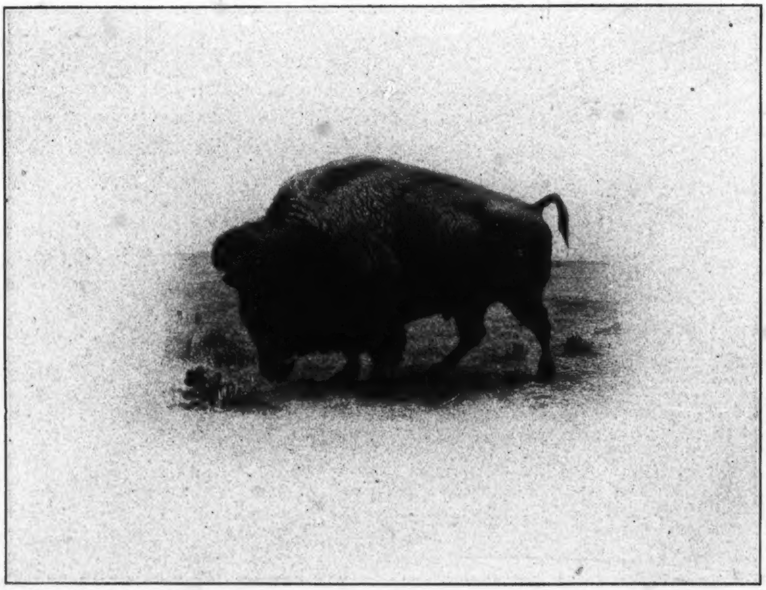
RICHES OF THE INDIANS

The herds of buffalo afforded the chief means of subsistence of the Indians while the beaver were the main source of emolument. The flesh of the buffalo was dried or put up as pemmican for future use, the sinews furnished them with thread, the skins gave material for tepees, raiment, bedding, carpets, canoes, bull-boats, baskets, buckets and cases for pemmican and the fat of bears and other animals, strings for their bows, ropes for tethering animals, lariats for catching the young buffalo, and at the end were used for shroud and coffin.

For many years the Indians conserved the buffalo and endeavored to prevent the slaughter of more than was necessary for their own consumption, but the temptations offered by the traders were too great, and they joined in the work of destruction for the means of procuring needed supplies and of gratifying their appetite for intoxicating liquors.

THE VAST HERDS OF BUFFALO

On nearing the Park River in September, 1800, Alexander Henry found numerous herds of buffalo, sometimes forming one continuous body as far as the eye could reach, passing sometimes within 800 feet of the party. Climbing a tall oak at Park River, he noted the same conditions, and that the small timber had been entirely destroyed by them, and great piles of wool lay at the foot of the trees they had rubbed against. The ground was trampled as it would be in a barnyard, and the grass was entirely destroyed where they had come to the



Courtesy of U. S. Treasurer, John Burke.

BLACK DIAMOND

The famous buffalo used on the ten dollar bill.

river for water. All the way to Pembina Mountains he found buffalo and in great numbers about Turtle River, Grand Forks, Goose River and the Sheyenne.

One morning at Park River they were awakened by the moving herd, which tramped continuously past their camp from before daylight until after 9 o'clock in the forenoon. When the river broke up in the spring of 1801, large numbers were drowned. They floated by the post at Park River for about two days in an unbroken stream, and from Pembina to Grand Forks there was scarcely a rod of the banks where they had not lodged. An early writer claims that in 1795 he counted in the streams and on the shore of the Qu' Appelle River, 7,360 buffalo, drowned by the breaking up of the stream. They were simply in incredible numbers and the prairies were black with them. About their camp in Pembina in 1802, they had so completely destroyed the grass that Henry lost twenty-eight head of horses from starvation, and one day a buffalo actually came within the gates of their fort.

In 1803 Mr. Henry went to the Pembina Mountains and thence across the plains to Mouse River and White Earth River, and for upwards of a month was not out of sight of buffalo for a single day.

In 1804 a prairie fire swept over the country around Pembina and Mr. Henry reports that in going to the Pembina Mountains he was not out of sight of blind and singed buffalo for a moment. They were wandering about the prairies, their eyes so swollen that they could not see. Their hair was singed, and in many instances the skin shriveled. In one instance he found a whole herd roasted, either dead or dying.

In 1805 Lewis and Clark, the explorers, counted fifty-one herds of buffalo from one standpoint on the Missouri River. They found the plains of what is now Emmons, Morton, Burleigh, Oliver, Mercer and McLean counties, North Dakota, supporting herds quite equal in extent to those described by Mr. Henry in the Red River Valley.

In 1806 Mr. Henry went to the Mandan villages on the Missouri River, and in the Mouse River country was compelled to barricade his camp at night to prevent being run over by the moving herds.

In the narrative of John Tanner, the White Captive, among the Chippewa, it is stated that one night as they lay in their camp near the Red River they could hear the noise of a buffalo herd which proved to be some twenty miles distant. In his words:

"A part of the herd was all of the time kept in constant rapid motion by the severe fights of the bulls. To the noise produced by the knocking together of the hoofs when they raised their feet from the ground, and their incessant tramping, was added the loud and furious roar of the bulls, engaged, as they all were, in the terrific and appalling conflicts."

To this clamor was added the barking and howling of the packs of wolves, which always followed the herd and preyed upon the calves, and the weak and disabled, or devoured the parts of animals left by the hunters. The Indians killed them with bows and arrows and caught the young with nooses of leather.

William H. Keating, the historian of Maj. Stephen H. Long's expedition, spoke of the buffalo as existing in herds of tens of thousands between the Mississippi and the Missouri rivers, and vast numbers in the Red River Valley on both sides of the river.

Gen. William T. Sherman estimated that the buffalo between the Missouri River and the Rocky Mountains at the beginning of the construction of the Pacific railroads numbered 9,500,000.

The bones of the animals were afterwards gathered by settlers and shipped out of the country by train loads and down the river by ship loads. It was the privilege of the writer in 1887 to examine a pile of buffalo bones at Minot, N. D., brought in from the adjacent prairies. The pile was measured, and the weight of bones belonging to a single animal obtained, and it was found that one pile represented over seven thousand buffalo. Like shipments were being made from other stations, and it was estimated that the bones which had been and were being gathered in North Dakota represented over two million animals. Entire trains were loaded at Bismarck in the early days with buffalo and other hides, from the steamboats that came down the river.

When the Indian camps were captured at the battle of White Stone Hills, in Dickey County, in 1863, the fat ran in streams from the dried buffalo meat that was destroyed in the conflagration.

In one season Charles Larpenteur, an independent trader, obtained 5,000 buffalo hides at Fort Buford, and in 1845 Gen. John C. Fremont reported that the output of buffalo hides by the trading companies had averaged 90,000 annually for several years, but this covered only the number killed from November to March, when the robes were at their best.

During the construction of the Kansas Pacific Railroad William F. Cody (Buffalo Bill) contracted to furnish the men engaged on the work twelve buffalo daily at $500 per month. One day eleven buffalo escaped a party of army officers who were running them, but were all killed by Cody, who fired but twelve shots.

William Comstock, a famous buffalo hunter, having disputed Cody's right to the title of "Buffalo Bill," a contest was arranged near Sheridan, Wyo., and starting with equal opportunities, Cody killed thirty-eight, and Comstock twenty before luncheon. In the afternoon two herds were encountered and the contest closed with a score of sixty-nine for Cody and forty for Comstock.

Hunting one day with a party of Pawnees, who were glad to have killed twenty-two, Cody begged the privilege of attacking the next herd alone, and killed thirty-six, very much to the astonishment of the Indians.

A BUFFALO HUNT ON THE SHEYENNE

In 1840 Alexander Ross, a Canadian trader, witnessed a buffalo hunt on the Sheyenne River, of which he gives the following account:

"At 8 o'clock the cavalcade made for the buffalo, first at a slow trot, then at a gallop, and lastly at full speed. Their advance was on a dead level, the plains having no hollows, or shelter of any kind, to conceal the approach. When within four or five hundred yards, the buffalo began to curve their tails and paw the ground, and in a moment more to take flight, and the hunters burst in among them and began to fire.

"Those who have seen a squadron of horse dash into battle may imagine the scene. The earth seemed to tremble when the horses started, but when the animals fled it was like the shock of an earthquake. The air was darkened, and the rapid firing at last became more faint, and the hunters became more distant.

"During the day at least two thousand buffalo must have been killed, for there were brought into camp 1,375 tongues. The hunters were followed by the carts which brought in the carcasses. Much of the meat was useless because of the heat of the season, but the tongues were cured, the skins saved, and the pemmican prepared."

For years buffalo hunting had been carried on as a business, under strict organization. A priest accompanied the hunt to look after the spiritual welfare of the hunters and their families. The women went along to do the drudgery of the camp and care for the meat.

When the herd was reached there was the early morning attack, after due preparation, each hunter killing from five to twenty, according to his skill and equipment, and each was able to claim his own from the size or form or combination of bullet and buckshot used by him.

When the meat was cared for another assault was made on the herd, with which they sometimes kept in touch six to eight weeks, the attacks being repeated until all of the carts and available ponies were loaded for the return trip.

In 1849, 1,210 half-breed carts were among the Pembina hunters. When they halted at night the carts were formed in a circle, the shafts projecting outward. Tents were pitched in one extremity of the inclosure, and the animals gathered at the other end. The camp was a complete organization, captains and chiefs being elected to command. No person was allowed to act on his own responsibility, nor to use even a sinew without accounting for it. No hunter was allowed to lag, or lop off, or go before, without permission, each being required to take his turn on guard or patrol, and no work was allowed to be done on the Sabbath day. A camp crier was appointed, and any offender was proclaimed a thief, or whatever the nature of the offense might be.

RUNNING THE BUFFALO

Charles Cavileer spent over fifty years of his life in the Red River Valley. Mrs. Cavileer, his widow, is a grand-daughter of Alexander Murray, one of the Selkirk settlers, and a survivor of the Seven Oaks massacre; a daughter of Donald Murray, one of the early merchants of Winnipeg, and on her mother's side, a grand-daughter of James Herron, an old-time trader. Speaking of running the buffalo, she said:

"I can see them now as they started on the hunt. I can see them rushing into the herd of buffalo, the hunter with his mouth filled with balls, loading and firing rapidly. Loose powder was quickly poured into the muzzle of the gun and a ball dropped into place, and the point of the gun lowered and fired, resulting often in explosion, for the reason that the ball had not reached the powder, or had been thrown out of place by the quick movement of the gun. Riding alongside of the herd, which was on the run with all the desperation possible in frightened animals, they were shot down by the thousands in a single day, and then the work of pemmican making commenced, on the ground where the animals were slain.

MAKING PEMMICAN

"The meat was cut into long strips from half an inch to an inch in thickness; and these were hung on racks to dry, with a slow fire built under them in order to smoke them a little. When dried and smoked slightly, they were placed on the flesh side of a buffalo hide, and whipped until beaten into shreds, and then mixed with hot tallow in large kettles. Poured into sacks while soft, the thick, pliable mass became so hard that it often required a heavy blow to break it. It could be eaten without further preparation, or could be cooked with vegetables and in various ways. If handled properly it could be kept for many years perfectly pure and sweet."

There was always reason to fear danger from an Indian attack in hunting on the plains. In 1856, the Pembina hunters were attacked by the Yanktons, near Devils Lake, and their horses, buffalo meat and supplies were taken from them, the Yanktons claiming the parties were hunting in their country without their permission and not for their own food, but for commerce, which they would not tolerate.

In 1860 Sir Francis Sykes spent the summer hunting in the Devils Lake region, and the next summer a wealthy Englishman of the name of Handberry organized a party for the same purpose. He was accompanied by Captain Calvert, Malcolm Roberts, William Nash and Charles E. Peyton. George W. Northrup was interpreter and guide. Their entire outfit was destroyed or carried away and the party taken prisoners by the Tetons, but they were released the next day through the friendly offices of the Yanktons, it being represented to them that Mr. Handberry was a British subject and only passing through their country. They were allowed one team by the Indians and escorted beyond the danger line, but the other animals and their outfit and supplies were retained.

Two hunters were found on the James River who told the Indians that they came to hunt and trap. The chief said to them, "We hunt, we trap; you go," and they were given to understand that if found there on the morrow their lives would pay the forfeit.

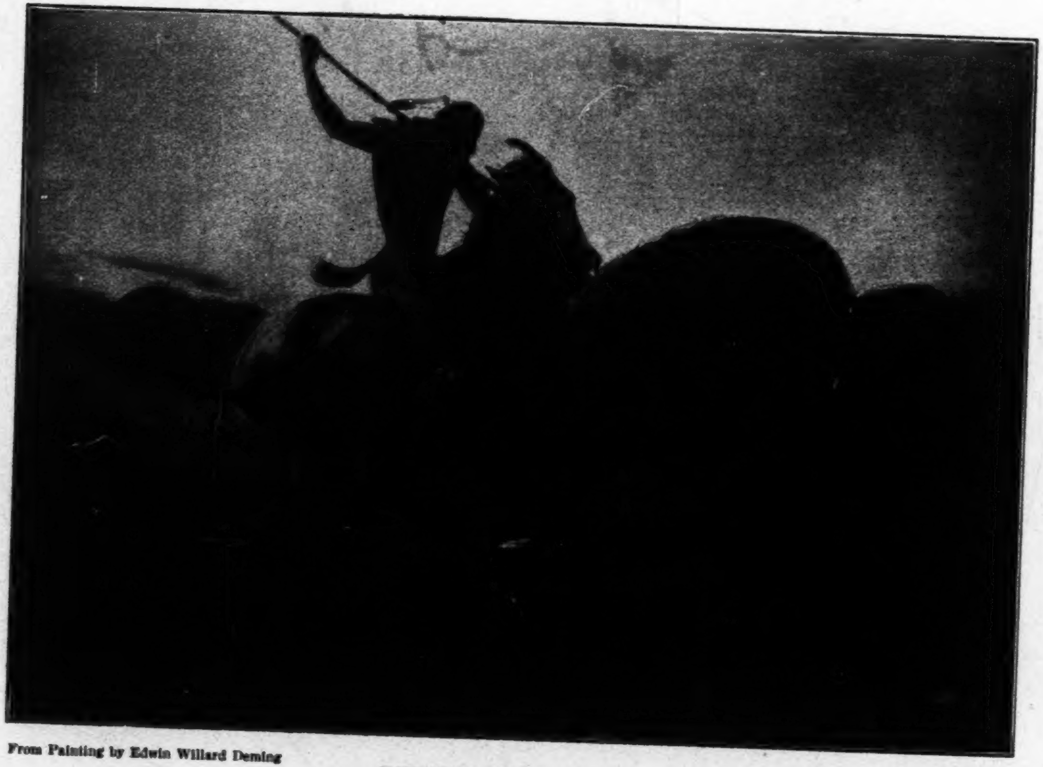
Hunting on the plains of the United States became very attractive and many titled persons felt and obeyed the impulse so well expressed in the following lines:

> "I'll chase the antelope over the plain,
> The tiger's cub I'll bind with a chain.
> And the wild gazelle, with its silvery feet,
> I'll give thee for a playmate sweet."
> —*Song of Ossian E. Dodge, 1850.*

THE BUFFALO REPUBLIC

In the summer of 1865 General John M. Corse and staff visited Fort Wadsworth on Kettle Lake, afterwards known as Sisseton, North Dakota, and participated in a buffalo hunt arranged by the officers of the post, there being a herd of buffalo in the vicinity estimated at 30,000.

The party numbered about 100, and was led by Gabriel Renville, a mixed-blood Sioux, chief of the Indian Scouts, who conducted them to the vicinity of the Hawk's Nest, a high peak in the coteaux or hills near this point. Renville gave the signal, and he and his party of Indian scouts began whooping and yelling, and rushed into the herd, followed by the officers and their visitors. One lieutenant of the general's staff, who was riding the finest horse of the party,



From Painting by Edwin Willard Deming

RUNNING THE BUFFALO

became so excited that he dropped one revolver and shot his horse in the back of the head with the other. Renville was armed with a Henry rifle—a sixteen shooter—and, making every shot good, killed sixteen buffalo. Charles Crawford, a noted Sioux Indian scout, armed in the same manner, killed fifteen, and others killed their proportion.

Samuel J. Brown, one of the party, attacked an unusually large, fine-looking bull, which he cut out of the herd and chased until he had exhausted his last shot, when the animal turned on him and ran him more than three miles. Twice Brown tried to avoid his pursuer or mislead him by dodging around a hill, but the animal would slowly ascend it and as soon as he discovered his tormentor, would again pursue him. The buffalo was finally killed by the soldiers in the immediate vicinity of the camp.

The visit of General Corse, and the hunt were celebrated in the manner usual at frontier posts. In the course of the feasting it was resolved that Dakota should be called the Tatanka Republic; tatanka being the Indian word for buffalo. Maj. Robert H. Ross of the Second Minnesota Regiment, was chosen president; Maj. Joseph R. Brown of the Minnesota Volunteer Militia, secretary of war; Gabriel Renville, "captain-general of the forces operating against the woolly buffalo and the wily Sioux," and Capt. Arthur Mills, quartermaster general.

THE MISSOURI RIVER BLOCKADED BY BUFFALO

In 1867, Capt. Grant Marsh, proceeding up the Missouri River on the steamer "Ida Stockdale," with Gen. Alfred H. Terry and staff aboard, encountered many buffalo when they reached the Elkhorn Prairie, about one hundred and twenty-five miles above Fort Buford. The story as related by Marsh in J. Mills Hanson's book, entitled "The Conquest of the Missouri," is as follows:

"Though these animals were so numerous throughout Dakota and Montana that some of them were almost constantly visible from passing steamboats, either grazing on the open prairie, or resting or wallowing near the river, it was in the country above the Yellowstone River that they appeared in greatest numbers, for here they were accustomed to pass on their northern and southern migrations in the spring and autumn.

"As the 'Stockdale' approached Elkhorn Prairie, the buffalo increased rapidly in number on either bank; vast herds, extending away to the horizon line of the northern bluffs, were moving slowly toward the river, grazing as they came. On arriving at the river's brink they hesitated, and then snorting and bellowing, plunged into the swift running current and swam to the opposite shore. When the 'Stockdale' reached a point nearly opposite the Elkhorn Grove, excitement rose to a high pitch on board, for the buffalo became so thick in the river that the boat could not move, and the engine had to be stopped. In front, the channel was blocked by their huge, shaggy bodies, and in their struggles they beat against the sides of the stern, blowing and pawing. Many became entangled with the wheel, which, for a time, could not be revolved without breaking the buckets. As they swept towards the precipitous bank of the north shore and plunged over into the stream, clouds of dust arose from the crumbling earth, while the air trembled with their bellowing and the roar of myriad hoofs. The south bank was turned into a liquid mass of mud by the water streaming from their sides as they scrambled out, and thundered away across the prairie. * * * Several hours elapsed before the 'Stockdale' was able to break through the migrating herds, and resume her journey, and they were still crossing, when at last they passed beyond view."

THE LAST GREAT HUNT

In his book entitled "My Friend, the Indian," Maj. James McLaughlin, gives an account of what was the last buffalo hunt in North Dakota, resulting in killing 5,000 of the noble beasts, now reduced to a few small herds preserved in parks by the Government or individuals. Major McLaughlin was then Indian Agent at Standing Rock.

The buffalo had been located 100 miles west, on the head waters of the Cannonball River. It was in June, when the buffalo was at his best. The camp was made according to tribal customs, and all of the honors were accorded the traditional beliefs. Two thousand Indians were seated on the prairie, with due regard to rank, forming a crescent-shaped body, the horns of the crescent opening to the west. Running Antelope, the leader of the hunt, was seated in the rear of a painted stone, made to represent an altar. Eight young men had been selected to go ahead and spy out the buffalo. The chief addressed them relative to the importance of their mission, and the necessity of caution, and closed by administering to each a solemn oath, during which the men in the semi-circle put away their pipes. Running Antelope filled the sacred pipe, which was lighted with much ceremony, and offered to the earth in front of him to propitiate the spirits which make the ground plentiful, and then to the sky, invoking the blessing of the Great Spirit. He took a puff, and passed it to the chief of the scouts; the latter placed his hand holding the bowl of the pipe on the altar, and then took a puff, each following his example.

When the ceremony was over every man owning a horse was on his feet, gesticulating and congratulating the scouts on their good fortune. Three bushes were set in the ground, and if in riding anyone succeeded in knocking down all three of the bushes, a great amount of game would be killed. Major McLaughlin led the race, and it was his good fortune to knock down all three. The Indians were happy. All seemed well. When happy the Indian is exuberant in his joy, and his cup of happiness that day promised to be filled to the very brim. Gall, Crow King, Rain-in-the-Face, John Grass, Spotted Horn Bull and other noted men were there. The march lasted four days. There were about six hundred mounted hunters in the party, and many thousand buffalo were quietly grazing on the slopes of a hundred elevations as they advanced upon the herd. Some of the hunters were armed with bow and arrows, but most of them with repeating rifles, and in a few moments the hunt became a slaughter. The Indians killed buffalo until they were exhausted, and when the day's work was done over two thousand animals had been slain. Several of the Indians were hurt, one dying of heart disease during the excitement of the slaughter. The attack was renewed on the herd the next day with even greater success, and when it was concluded over five thousand had been slain, and the meat preserved for the winter's food supply. Frank Gates and Henry Agard each killed twenty-five buffalo, and many others had made enviable records.

It was contemporaneous with these results that William E. Curtis, the noted traveler, accompanied by the author of these pages, visited the Yellowstone River. They were entertained at Glendive by Capt. James M. Bell of the Seventh U. S. Cavalry, who organized a buffalo hunt for their entertainment. They reached the grounds, twenty miles down the river, from Glendive, about noon, and encountered a herd of about four thousand, but being there to see and not to be a part of the performance, Curtis and Lounsberry were not mounted. However, they were allowed to creep up the cut bank of a stream to within easy range, when they fired and the stampede commenced. The soldiers then rushed in among the herd shooting as they rode alongside of the running animals. Seven were killed, that being all that was needed for a camp supply of meat.

The great herds of buffalo and of the cattle and horses which succeeded them have passed and are gone, so far as free range is concerned, and the open country which once knew them shall know them no more.

CHAPTER IV

FOUNDING OF PEMBINA

THE POST NAMED—ORIGIN OF THE NAME—THE FIRST FARMING—POULTRY RAISING AND MANUFACTURES—THE FIRST CHILD—PIERRE BONGA—THE FIRST WHITE CHILD—MANAGERS, EMPLOYEES AND TRADING STATISTICS—BUFFALO, THE HUNTER—EFFECTS OF THE LIQUOR TRADE AT PEMBINA—THE STAIN ON THE RECORD—NORTH-WEST AND X. Y. CONSOLIDATION—FIRST FAMILY NAMES—HENRY SUFFERS FROM THE SIOUX—TRIAL OF THE NEW POLICY—CHANGE IN MANAGERS—OUTLYING POSTS WITHDRAWN—ANARCHY AND HOSTILITY—A NIGHT ATTACK—POSTS ON THE RED RIVER—EARLY TRAFFIC ON THE RED RIVER.

"And he gave it for his opinion, that whoever could make two ears of corn, or two blades of grass to grow upon a spot of ground where only one grew before, would deserve better of mankind, and do more essential service to his country, than the whole race of politicians put together."—*Jonathan Swift.*

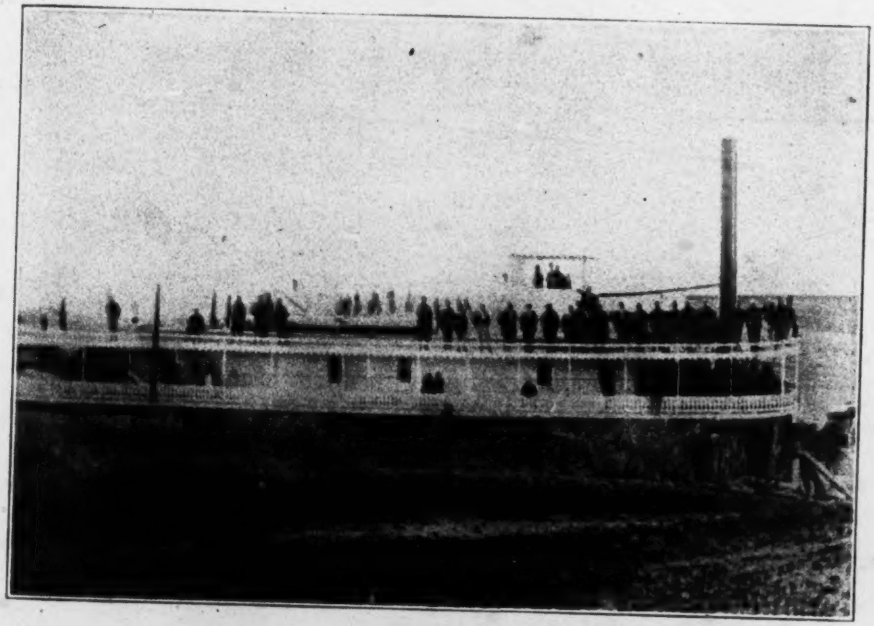
THE POST NAMED

May 17, 1801, Alexander Henry selected the spot for building a fort at Pembina. The post was completed October 1, 1801, and thereafter Henry's scattered forces made their headquarters at Pembina.

The post was named "Fort Panbian," and was later called the "Pembina House." It was built on the north side of the Panbian River—afterward changed to Pembina—between that and the Red River, 100 paces from each, on land afterwards entered by Joseph Rolette, and in 1870, James J. Hill, subsequently president of the Great Northern Railroad, purchased of Mr. Rolette the identical ground on which the establishment stood, embracing five acres, where he built a bonded warehouse for trade with the Indians and settlements in Manitoba.

Norman W. Kittson, a later trader at Pembina, and identified with transportation and other interests of the Red River country and of Minnesota, was a relative of Alexander Henry. Henry's post consisted of a storehouse, 100x20 feet, built of logs. Later a stockade and other buildings, including store rooms, shops, warehouses and a stable for fifty horses, were added.

The Hudson's Bay Company built, the fall of 1801, a post on the east side of the Red River, near Peter Grant's old post, and the X. Y. Company built just below Henry on the Pembina River. The Hudson's Bay Company built a post, also, on the Pembina River at the Grand Passage, which was destroyed by fire April 1, 1803.



STEAMER SELKIRK

Floating palace of the Red River of the North. Built in 1871

OLD FORT PEMBINA, 1840-84

Norman Kittson's trading post.

ORIGIN OF THE NAME

The name of Pembina, applied to the post and the mountains, previous to 1801 known as Hair Hills, is claimed by recognized authorities to be derived from the Chippewa words *anepeminan sipi*, a red berry known among the whites as the "high bush cranberry."

The early efforts to create the "Territory of Pembina" were antagonized because it was alleged that the word was insignificant, and when in the debates in Congress it was pronounced "Pembyny," by a usually well informed congressman, all efforts in that direction ceased. Early in 1882, the Bismarck Tribune, then edited by the author of these pages, used "North Dakota" in the date line of that paper, and from that time the friends of "North Dakota" were united in their efforts to secure "North Dakota" for the name of the proposed new state. Dakota had become noted for its great wheat fields, and it was desired, also, to retain whatever benefit might accrue from that fact, as the famous farms were in the northern part of the territory.

THE FIRST FARMING

John Tanner claims that the cultivation of Indian corn was introduced on the Red River by an Ottawa friend of his of the name of She-gaw-kee-sink, and it is known that Indian farming was carried on successfully for many years by the Arikaras, Mandans and Hidatsa, at the Mandan villages, prior to the advent of Alexander Henry. They raised corn, potatoes, squashes, etc., but to Henry belongs the credit of the first attempt to raise vegetables and corn in the upper Red River Valley. He was the first white farmer in North Dakota. May 17, 1801, he planted a few potatoes and garden seeds on the site of Peter Grant's old fort, and harvested 1½ bushels of potatoes October 1st. The other vegetables had been consumed by the horses.

The following year on May 15, 1802, he began to sow his garden, and planted a bushel of potatoes, received from Portage La Prairie.

May 7, 1803, he planted potatoes, turnips, beets, carrots, onions, sowed cabbage and planted cabbage stalks for seed. Three days later he finished planting eight kegs of potatoes. The yield October 17th, amounted to 420 bushels of potatoes from 7 bushels planted, exclusive of those used, destroyed and stolen by the Indians, estimated at 200 bushels; 300 large heads of cabbage, 8 bushels of carrots, 16 bushels of onions, 10 bushels of turnips, some beets, parsnips, etc. One onion measured 22 inches in circumference at the thick end; a turnip with its leaves weighed 25 pounds, the leaves alone 15 pounds. The weight without the leaves was generally 10 to 12 pounds.

April 28, 1804, he was working in his garden, and September 9th, gathered cucumbers and made a nine-gallon keg of pickles. October 22d the crop gathered was 1,000 bushels of potatoes—the product of 21 bushels—40 bushels of turnips, 25 bushels of carrots, 20 bushels of beets, 20 bushels of parsnips, 10 bushels of cucumbers, 2 bushels of melons, 5 bushels of squashes, 10 bushels of Indian corn, 200 large heads of cabbage, 300 small and savoy cabbage; all of these exclusive of what had been eaten and destroyed.

Here is doubtless the first record of Indian corn grown in the Red River

Valley. Henry claims that he furnished the Indians at Dead River, Manitoba, seed corn and seed potatoes in 1805.

POULTRY RAISING AND MANUFACTURES

In 1807 Henry brought a cockerel and two hens from Fort William to Pembina. One hen died, and the other began to lay March 29, 1808. May 8th, she hatched eleven chickens and seven more were added later in the season; giving him a flock of eighteen chickens, the first domestic fowl raised in North Dakota.

At this time there was a manufactory at Pembina, where Red River carts were made, and a cooper shop turning out kegs and half barrels.

THE FIRST CHILD, PIERRE BONGA

March 14, 1801, the first child, not of Indian blood, was born at Pembina, to Pierre Bonga and his wife, both negroes. Pierre Bonga had been a slave of Capt. Daniel Robertson of Mackinaw, brought home from the West Indies, and was in the first canoe of the Red River Brigade of July, 1800.

An amusing story of riding a buffalo is told of him at Pembina. A buffalo cow had fallen on the ice near the fort, and in her struggle to get up had become entangled in a rope, but finally gained her feet, when Pierre and Crow (an Indian) got on her back, but without paying any attention to them, she attacked the dogs, and was as nimble in jumping and kicking as she was before taking the load of nearly four hundred pounds.

In the fall of 1802, Joseph Duford of the X. Y. Company threatened to kill Bonga, and himself received a sound beating. Bonga left numerous descendants, one of whom was an interpreter at the Fort Snelling treaty of 1837.

THE FIRST WHITE CHILD

The first white child was born at Pembina December 29, 1807. Its father was John Scart of Grand Forks, and its mother was a native of the Orkney Islands, who dressed in men's clothes and for several years had been doing a man's work at Pembina.

MANAGERS, EMPLOYEES AND TRADING STATISTICS

Jean Baptiste Demerais, interpreter for Henry's Red River brigade, had charge of the garden, horses and fishing, etc., at Fort Pembina the first season, and the winter of 1801-2, took at his station near where Morris, Manitoba, now stands, 130 beaver skins, 8 wolf, 2 fox, 3 raccoon, 38 fisher, 2 otter and 5 mink.

BUFFALO, THE HUNTER

Buffalo, a member of the Henry expedition of 1800, in 1801, was chosen hunter for the post at Pembina. As recorded in the annals of the post he was one of the most demoralized in his domestic relations, offering, like Charlo, to sell his nine-year-old daughter to Henry for a dram of his "mixture" at Park River. In the spring of 1803, he quarreled with his wife, and struck her with a club, cutting a gash in her head six inches long from the effects of which she was so long recovering that she was believed to be dead, and a year later he repeated the brutality by stabbing his young wife in the arm; all of which was attributed to his frenzied condition while in his cups.

MICHAEL LANGLOIS

Michael Langlois of the Red River Brigade, after the trading post was established the fall of 1801, on the Pembina River, was sent to the Pembina Mountains, then known as Hair Hills, to establish a post at the foot of the steep, sandy banks, where the river first issues from the mountains, and the X. Y. Company sent four men there to build alongside of his establishment; also, aside from the two houses mentioned, there was another trading post in the Pembina Mountains, known as the De Lorme House, where Henry called on his rounds, visiting his several outlying posts that winter. These trips were made with dog sledges and snow shoes.

The following winter of 1801-02, Michael Langlois took at the Pembina Mountains, 200 beaver skins, 24 black bear, 5 brown bear, 160 wolf, 39 fox, 14 raccoon, 57 fisher, 5 otter and 15 mink. In September, 1802, he was ordered by Mr. Henry to Red Lake, but failing to make that point, spent the winter at Leech Lake, accompanied by Joseph Duford. The winter of 1803-04, he passed at the Pembina Mountains post with Le Sieur Toussaint and turned in 182 beaver skins, 51 bear and 148 wolf. Maymiutch, Charlo's brother, an Indian who went up the river with the "brigade," while under the influence of liquor, shot at Michael Langlois December 21, 1803. The following season, 1804-05, Langlois was in charge of the same station with James Caldwell. The returns of catch are as follows: 16 beaver skins, 37 bear, 251 wolf.

Other employees at Fort Pembina in 1801, or about that period, who conducted the work of the post, were Jean Baptiste Le Duc (possibly Larocque), Joachim Daisville, André La Grosser, André Beauchemin, Jean Baptiste Larocque, Jr., Etienne Roy, Francois Sint, Joseph Maceon, Charles Bellegarde, Joseph Hamel, Nicholas Pouliotte and Joseph Dubois—all of Henry's Red River Brigade.

JOHN CAMERON

John Cameron who had been at Park River the previous season, was sent by Mr. Henry September 1, 1801, to Grand Forks, to build a post there, and he was followed by the X. Y. Company; wherever the one company went the other was sure to follow. Cameron took in at Grand Forks, the season of 1801-02, 410 beaver skins, 22 black bear, 2 brown bear, 30 wolf, 20 fox, 20 raccoon, 23 fisher, 29 otter and 6 mink.

September 20, 1802, he was sent from Pembina for the same purpose, to Turtle River, and took in 337 beaver skins, 40 bear and 114 wolf. The winter of 1803-04, he passed at Park River with Joseph Ducharme and the post turned in 147 beaver skins, 25 bear and 14 wolf.

AUGUSTINE CADOTTE

Augustine Cadotte was sent September 20, 1802, to the Pembina Mountains, to trade with the Crees and Assiniboines and remained there through the winter, taking 30 beaver skins, 47 bear and 364 wolf. April 1, 1803, he was sent to Grand Forks to rebuild the post there, erecting a building 100x20 feet in extent, the same size as the original post at Pembina. The X. Y. and the Hudson's Bay Company followed, and that spring the Hudson's Bay Company erected a new post on the north side of the Pembina River at Pembina.

JOHN CREBASSE

John Crebasse with Mr. Henry at Fort Pembina, in the winter of 1801-02, took in 629 beaver skins, 18 black bear, 4 brown bear, 58 wolf, 16 fox, 39 raccoon, 67 fisher, 24 otter, 6 marten, 26 mink. At the same place he passed the following winter, 1802-03, with Mr. Henry, taking 550 beaver skins, 38 bear and 104 wolf.

The winter of 1805-06, John Crebasse was in charge at Grand Forks, and Mr. Henry at Pembina. Crebasse turned in from the former station 343 beaver skins, 24 bear, 310 wolf, 171 fox, 75 raccoon, 59 fisher, 27 otter and other skins.

Of course there were other products of the chase from all of these points each year.

JOSEPH DUFORD

Joseph Duford, a member of the X. Y. Company, who threatened to kill Pierre Bonga, and was the companion of Michael Langlois at Leech Lake the winter of 1802-03, was with Henry Hesse in charge of the Salt River post in 1804-05, and it appears on the returns of Salt River for that winter, that they turned in 160 beaver skins, 24 bear and 346 wolf. Duford was killed by a visiting Indian, October 30, 1805, and under this date the following particulars are given:

A visiting Indian and his chief had accepted a quart of rum and were being entertained at the fort. In the course of the night they quarreled, made up, fought their battles with the Sioux over again, sang war songs, discussed the Sioux, boasted of their own exploits, sometimes maneuvering as in actual battle, with a pipe stem for a weapon, and finally the chief fell, exhausted and the other continued the performance alone, until he worked himself into a frenzy and thinking he was really in a battle and the Sioux were upon him, grabbed his gun, called upon his imaginary comrades to follow him and fired—mortally wounding Joseph Duford.

The next morning when sober, the Indian was in great distress, insisting that he intended no harm, that he knew that he was a bad Indian; that he had killed three of his own children, but he had never hurt a white man before.

According to the record—"he was forgiven."

ETIENNE CHARBONNEAU

Etienne Charbonneau went up the river with Henry's Red River Brigade to Park River, and the winter of 1803-04 was with Henry at Fort Pembina, where they turned in 211 beaver skins, 29 bear and 37 wolf.

Painting by Eastman

BALL PLAY OF THE DAKOTA (SIOUX) INDIANS

For the winter of 1804-05, the returns of the catch at Fort Pembina were 829 beaver skins, 36 bear and 102 wolf.

There were ten grizzly bear skins in the returns of that year from the three posts, viz.: Salt River, Pembina Mountains and Pembina post.

THE STAIN ON THE RECORD

"Oh! stay not to recount the tale—
'Twas bloody—and 'tis past,
The firmest cheek might well grow pale
To hear it to the last.
The God of heaven, who prospers us,
Could bid a nation grow.
And shield us from the red man's curse
Two hundred years ago!"
—*Grenville Mellen.*

From the 28th of August, 1801, to the close of the year 1804, the record of the life at Fort Pembina is a series of complaints, demands, quarrels and casualties, the revolting details of which involve the characters of many brave Indians, who doubtless merit honorable mention, but who appear at best as "troublesome" and many of them as answerable for a long list of crimes, invariably with direct reference to an abnormal state of mind, attributed to over-indulgence on one side and criminal adulteration of the means of it on the other.

The record of Alexander Henry, as made up by himself, during five years of the early history of the Red River Valley, is bad enough. Others were working on the same lines. In some of their journals the record is far more shameful than Henry's, and of his Doctor Coues says:

"The seamy side of the fur trade Henry shows us with a steady hand that we can scarcely follow with unshaken nerves, is simply hell on earth; people with no soul above a beaver skin, fired by King Alcohol in the workshop of Mammon."

Ingenious excuses were framed by the Indians for obtaining the stimulant which the white traders had encouraged them to use and taught them to prize above all things, and in the dealing out to them of the poison, there was often a nefarious liberality, let alone their questionable forms of trade, for which there can be no condemnation too severe.

Henry in commenting on the degeneracy of the Indians, said:

"The Indians totally neglect their ancient ceremonies, and to what can this degeneracy be ascribed but to their intercourse with us; particularly as they are so unfortunate as to have a continual succession of opposition parties to teach them roguery and destroy both mind and body with that pernicious article, rum! What a different set of people they would be, were there not a drop of liquor in the country! If a murder is committed among the Saulteurs (Chippewa), it is always in a drinking match. We may truly say that liquor is the root of all evil in the Northwest. Great bawling and lamentation went on, and I was troubled most of the night for liquor to wash away grief."

The use of intoxicating liquor rouses the passions, among all races of men; it deadens the sensibilities, impairs and frequently destroys the memory. Love and virtue cannot long endure where alcohol holds sway; prosperity cannot abide in the home of the man who is addicted to its use, his business will fail, his home will be broken, and his parents, his wife and daughters may expect to go in sorrow to their graves. There is no evil known to man that can or does bring the distress to the human race that follows its unrestrained use.

Perhaps it has been, and may be used to some advantage in medicine and mechanic arts, but there is absolutely no compensation that it has given or can give the world, for the ruin it has wrought in its use as a beverage. A noble race that peopled the plains and forests of North America have been nearly destroyed by its use and the white man's greed for gold, and countless thousands, aye, millions of white men have been unfitted for life's duties, not to speak of the murders and suicides, and of the miserable wrecks in the hospitals for the insane and in the penitentiaries and jails.

The flagstaff for Fort Pembina, a single oak stick, "seventy-five feet without splicing," was erected November 28, 1801, and at the raising the men were given "two gallons of high wines, four fathoms of tobacco, and some flour and sugar, to make merry." But it was not alone the aborigines who exceeded the bounds of sobriety, for it is written, that on New Year's day the men of the X. Y. Company and the Hudson's Bay Company came over to Fort Pembina, and the manager treated the company assembled to "two gallons of alcohol, five fathoms of tobacco and some flour and sugar, the neighbors and everybody else of both sexes and all classes losing their senses, and according to the narrator, 'becoming more troublesome than double their number of Indians.' "

Good drinking water was scarce on the hunt and in the midst of the winter of 1801-02 (February 28th), Henry returned from hunting almost famished, and declared that "a draught of water was the sweetest beverage he ever drank."

Of the Indian when not degenerated by the use of intoxicants it may be said there is no selfishness in him. His anger and his appetite in those days were uncontrollable, but there is no human love stronger than his for home and kindred, and he seldom forgot to recognize "discretion" as "the better part of valor," and for that he has been called cowardly. No matter what the Indian's prospect for success in battle might be, the moment that he realized that his women and children were in danger he would retire. Their protection was his first consideration. Aside from that his creed was a life for a life, a scalp for a scalp. If the Indians traveled a thousand miles, enduring privation and dangers that were appalling, it was for scalps to recompense for similar losses. It was not the love of bloodshed, or for the wanton destruction of human life. It was for revenge, none the less sweet because indulged by the untutored tribesmen.

NORTH-WEST AND X. Y. CONSOLIDATION

In 1805 Hugh McGillis, partner in the North-West Company, had charge of the Fond du Lac district, with trading posts at every available point on the south side of Lake Superior, across the country to the Mississippi River, up that stream to its source, and down on the Red River. The company had extended its sphere of activity even to the very center of the Louisiana purchase; they were reaching out to the headwaters of the Missouri River, and pushing their way on to the Columbia and to the Arctic seas.

The headquarters of Mr. McGillis were at Leech Lake, and he also had an important post at Cass Lake, Minnesota.

Cuthbert Grant had charge of the post at Sandy Lake, near grounds covered now by Aitkin, Minn., and had a number of other posts in the surrounding country.

Robert Dickson was an independent Canadian trader, having his main post on the Mississippi River, near what is now St. Cloud, and another at Cass Lake, in charge of George Anderson.

At all these posts English goods were being sold without the payment of duties; most of the posts being fortified, and many of them flying the British flag, the "Second Union Jack," which, since 1801 had embraced the cross of St. Patrick in addition to those of St. George and St. Andrew. Canadian traders assumed the right to make or break Indian chiefs, and were holding their friendship and confidence by the presentation of medals, and using intoxicating liquors to demoralize and debauch them.

Alexander Henry was much concerned in February, 1806, when he heard of Lieut. Zebulon Montgomery Pike's expedition, which was then at Leech Lake, understanding that it was proposed to force the traders to pay duties on the goods used by them in trade in United States territory.

The population of the Red River country in 1805 is given by Henry as seventy-five white men, forty women, mixed-blood, and sixty children, mixed-blood. The women were the wives of the traders and their men, all Indian and mixed-bloods, and the children were all mixed-bloods, although returned as whites.

The Indian population was given as 160 men, 190 women and 250 children.

FIRST FAMILY NAMES

The family names of nearly every mixed-blood family, now or recently residing in the Turtle Mountains, may be found among the employees of the several fur companies operating on the Red River or in that region. Among those mentioned by Alexander Henry in connection with the fur trade in the Red River country are the following:

Francois Allaire, Michel Allaire, Michel Allary, Francois Amiot, Antoine Azure, Joseph Azure, Alexis Bercier, Joseph Bercier, Antoine Bercier, Joseph Boisseau, Francois Boucher, Louis Brozzeau, Augustin Cadotte, Michel Cadotte, Murdoch Cameron, Duncan Cameron, Antoine Dubois, Francois Dubois, Nicholas Ducharme, Pierre Ducharme, Pierre Falcon, Michel Fortier, Pierre Fortier Jacques Germain, St. Joseph Germain, Antoine Gingras, Jean Baptiste Godin, Louis Gordon, Alphonso Goulet, Jacques Goulet, Jean Baptiste Goulet, Francois Hamel, Francois Henry, Francois Houle, Jerome Jerome, Francois Langie, Jacques Laviolette, Jean Baptiste Lemay, Louis Lemay, Pierre Lemay, Duncan McGillis, Hugh McGillis, Alexander McKay, Alexis McKay, Ambrose Martineau, Hy Norbert, Alexis Plante, Joseph Plante, Augustin Poisier, Andrew Poitras, Duncan Pollock, Joseph Premeau, John Roy Ross, Augustin Ross, Jean Baptiste Ross, Vincent Ross, John Sayers, Angus Shaw, Alex Wilkie.

January 1, 1805, Mr. Henry learned of the consolidation of the North-West

Company and the X. Y. Company, and gave the following as his views of the existing conditions:

"It certainly was high time for a change on this river. The country being almost destitute of beaver and other furs, and the Indians increasing in number daily from Red Lake and the Fond du Lac country. The X. Y. had been lavish of their property, selling very cheap, and we, to keep the trade in our hands, had been obliged to follow their example. Thus by our obstinate proceedings we had spoiled the Indians. Every man who had killed a few skins was considered a chief and treated accordingly; there was scarcely a common buck to be seen; all wore scarlet coats, had large kegs and flasks, and nothing was purchased by them but silver works, strouds and blankets. Either every other article was let go on debts and never paid for, or given gratis on request. This kind of commerce had ruined and corrupted the natives to such a degree that there was no bearing with their insolence. If they misbehaved at our houses and were checked for it, our neighbors were ready to approve their scoundrelly behavior, and encourage them to mischief, even offering them protection if they were in want of it. By this means the most notorious villains were sure of refuge and resource. Our servants of every grade were getting extravagant in their demands, indolent, disaffected toward their employers and lavish with the property committed to their charge. I am confident that another year could not have passed without bloodshed between ourselves and the Saulteurs."

In May, following the consolidation of the two fur companies, the Indians were encamped about the fort drinking, when one Indian stabbed another to death. The murdered man left five children and the scene at his burial was heartrending. In the carousals that followed a son of Net-no-kwa, the foster mother of John Tanner, the "White Captive," had his face disfigured for life, and another Indian who came to his relief met the same fate.

HENRY SUFFERS FROM THE SIOUX

July 3, 1805, a large body of Sioux fell upon a small camp of Henry's Indians on the Tongue River, and killed or carried off as prisoners fourteen persons—men, women and children. Henry's father-in-law was the first one killed. His mother-in-law reached the woods in safety, but finding that one of the younger children had been left by the young woman in whose charge it was placed, she kissed the older children and went back for that one. She recovered the child, but was stricken down by the Sioux. Springing to her feet she drew a knife and plunged it into the neck of her antagonist, but others coming up, she was dispatched.

All of the bodies of the dead were shot full of arrows. The skull of Henry's father-in-law was carried away for a drinking cup, and indignities perpetrated on other bodies too horrible to describe.

TRIAL OF THE NEW POLICY

From the time of the consolidation of the companies there was a change in policy—a change in the grade and strength of the liquors sold to the Indians, and in the profits, which were greater, and from that time on there were no presents, and no liquor given to induce trade, but an amicable arrangement was made between the North-West and Hudson's Bay companies whereby strife, for a while, ceased, and the Indians were obliged to pay for whatever they received. But this happy condition did not continue to exist, as we shall see later. It was bad enough before.

October 6, 1805, the Hudson's Bay Company built their new post at Pembina, and Alexander Henry, in carrying out the new policy, immediately made a division of the Indians, giving the Hudson's Bay Company, Tabishaw and other troublesome Indians among their portion, and thereupon refused to make the usual distribution of liquors; being determined that they should not taste a drop while they lay around the fort idle, but gave them credit for many necessary articles. Some flattered, some threatened, and others caressed him; still others declared that they would not hunt, but to no purpose, they were still refused. "With no X. Y. to spoil and support them in idleness, we obliged them to pay their debts," wrote Mr. Henry, "and not a drop was given them at the fort."

CHANGE IN MANAGERS

Mr. Henry was succeeded for a short time at Fort Pembina by Mr. Charles McKenzie, and then by Mr. John Wills. John Tanner in his Narrative says, relative to his experience with the latter, that Mr. Wills called the Indians together, and giving them a ten-gallon keg of rum and some tobacco, told them that thereafter he would not credit them to the value of a needle, but would give them whatever was necessary for their convenience and comfort in exchange for whatever they had to sell. He not only refused them credit, but in many instances abused the Indians for asking it. Tanner was ordered away from the fort because he asked for the accommodation which had hitherto been extended him, and in his distress for the necessaries of life, he went to the Hudson's Bay Company's agent, and was given the credit desired.

When he brought in his peltries Mr. Wills forcibly took possession of them, and threatened to kill him when he demanded them, and did draw a pistol on him when he came to recover them and turn them over to the Hudson's Bay Company, pursuant to his agreement.

OUTLYING POSTS WITHDRAWN

The winter of 1805-06 the opposition having dropped out, there was no longer reason to keep up outlying posts. Henry's return of the catch at Fort Pembina that season embraced 776 beaver skins, 74 bear, 533 wolf, 2[illegible]6 fox, 63 raccoon, 140 fisher, 102 otter, 271 marten and 141 mink.

One year later the Hudson's Bay Company reestablished its trading house at Pembina, in charge of Hugh Heney, who arrived at the post September 12, 1807, with two boats from Hudson Bay for the Hudson's Bay Company. Mr. Heney extended the usual credits to worthy Indians, notwithstanding the previous understanding with Alexander Henry. The population of the Red River country in 1807, not in the employ of the fur companies, aside from Indians, numbered forty-five, known as "freemen."

On September 12, 1807, the post at Grand Forks was reestablished by Alexander Henry's sending his cousin, William Henry and seven men there from Fort Pembina. A week later, on September 19th, Hugh Heney sent a boat and a skiff and six men to Grand Forks to establish a Hudson's Bay Company post at that point.

ANARCHY AND HOSTILITY

The spring of 1808 opened at Fort Pembina upon scenes brutal and lawless in the extreme, but so familiar had these crimes become to Alexander Henry that in his journal he briefly alludes to the murder of an Indian by his wife, and to a disturbance on that day, when the Indians in camp at the fort used some kegs of high wines that had been given them by William Henry, then in charge of the fort, and as a parting treat a ten-gallon keg of alcohol, gratis.

Chief Porcupine's son was murdered, receiving fifteen stabs from a relative, and Mr. Henry observes: "Murders among these people are so frequent that we pay little attention to them. The only excuse is that they were drunk."

A NIGHT ATTACK

The fort at Pembina was attacked by a party of 200 Sioux at midnight of July 22, 1808. There were then twenty-two men bearing arms, fifty women and many children encamped in the vicinity.

Alexander Henry defended the fort with the men encamped outside, nine men inside, and a mortar loaded with one pound of powder and thirty balls, which had recently been added to the equipment.

At the hour of attack the Indians had been drinking heavily, and were generally asleep in their tents. Their arms were in the fort and the gates were closed, but when roused they clambered over the stockade and secured their arms, hurrying the women and children into the fort.

The piece when in action was aimed in the direction where the Sioux could be plainly heard addressing their men, and no such noise as its roar had ever been heard on the Red River before. The balls clattered through the tree tops and some took effect, for the lamentations of the Sioux for their fallen comrades could be distinctly heard.

For a few moments only the firing continued and the Sioux were next heard at some distance, then farther off, farther and farther. About sunrise they could be dimly discerned filing away to the southward.

Their pursuers found the stain of blood where the Sioux were first heard, and evidence of a hasty retreat. On the spot where they put on their war bonnets and adjusted their accoutrements, making ready for the assault, upwards of one hundred old shoes were found; also some scalps, remnants of leather and buffalo robes, saddle cloths, pieces of old saddles, paunches and bladders of water for their journey—and a lone grave on the prairie where one of their dead had been left. The loss at the fort was one dog killed by the Sioux shots.

POSTS ON THE RED RIVER

The furs sent from the Red River posts in 1808 included 696 beaver skins, 161 black bear, 956 marten, 196 mink, 168 otter, 118 fisher, 46 raccoon. There were also shipped 3,159 pounds of maple sugar. The provisions consumed at Fort Pembina by the party of that year, consisted, among other things, of 147 buffalo (63,000 pounds), 6 deer, 4 bears, 775 sturgeon (weighing from 50 to 150 pounds each), 1,150 other fish, 140 pounds of pounded meat and 325 bushels of potatoes.

Alexander Henry was ordered August 3, 1808, to the Saskatchewan, to take charge of that district (where he lived three years) and in a few days bade farewell to the Red River, after sixteen winters among the Chippewa.

He was drowned in the Columbia River near St. George, May 22, 1814, on the way in a small boat from St. George to board a vessel called the Isaac Tod, which lay at anchor outside the bar at the mouth of the river.

The post at Pembina, seized by Governor Robert Semple, March 30, 1816, was maintained until 1823. Charles Hesse and Alexander Fraser were there when it was taken over by the Hudson's Bay Company.

CHARLES HESSE

Charles Hesse was a clerk in the employ of the North-West Company at Grand Portage in 1779, and is mentioned in connection with Red River matters by Henry, October 16, 1801, when he and his young wife arrived at Red Lake. On February 22, 1804, they went to Red Lake for maple sugar. September 18th Hesse left Pembina with eight men to reestablish the post at Park River, which was accomplished the first of October. At the same time Augustin Cadotte reopened trade at Salt River, to oppose the X. Y. Company.

In one of the battles between the Sioux and Chippewa, Hesse's property was destroyed and all his family were killed, except a daughter, who was taken prisoner by the Sioux. Hesse invaded the camp alone in the hope of effecting her rescue, and the Sioux had such great admiration for his bravery that they gave him an opportunity to redeem her. He succeeded in raising a considerable sum for that purpose from his fellow traders, but his daughter refused to go with her white father, preferring her dusky Sioux warrior who had treated her kindly.

EARLY TRAFFIC ON THE RED RIVER

There was traffic of considerable importance on the Red River in these early days. Some of the ladings by the North-West Company from Pembina in 1808, bound for the mouth of the Assiniboine and Mouse rivers, were as follows:

A long boat—Angus McDonald, Charles Larocque, Pierre Martin, Jean Baptiste Lambert, 282 bags of pemmican, 1 bag potatoes, 42 kegs of grease, 2 kegs of gum, 224 pieces, 2 pair of cart wheels, 1 leather tent, 1 oilcloth tent, 1 cow (buffalo, slaughtered), bark and wattap (for repairing canoe).

A boat—Joseph Lambert, Pierre Vandle, Antoine Lapointe, 2 kegs of gum, 5 kegs of grease, 107 pieces, 1 bag potatoes, 1 pair cart wheels, 1 leather tent, 1 oilcloth tent, 1 cow.

A Lake Winnipeg canoe—Houle (may be Francois) Charbonneau, Fleury, Suprennant, 21 bags pemmican, 1 keg of potatoes, 3 kegs of grease, 24 pieces, 1 buffalo.

A canoe—André Beauchemin, Joseph Bourree, 20 packs, W. W. 2, 13 bags of pemmican, 1 bag of potatoes, 3 kegs of grease, 36 pieces, 1 buffalo.

A canoe—Angus Brisbois, Jean Baptiste Larocque, Jean Baptiste Demerais, 20 packs, W. W. 2, 9 taureaux, 3 kegs or grease, 2 bags of potatoes, 32 packs and McD.'s baggage, 2 bales of meat, 1 buffalo.

A canoe—Louis Demerais, Joseph Plante, Cyrile Paradis, Michael Damphouse, 10 packs, W. W. 2, 2 kegs of grease, 2 bags of potatoes, 12 pieces and Henry's baggage, 2 buffalo and 4 bales of meat.

L. L. canoe—Charles Bottineau, Jervis (Gervais) Assiniboine, 22 kegs of grease, 1 bag of potatoes, 10 bags of potatoes, 32 pieces, 1 buffalo.

S. canoe—Antoine Larocque, Bonhomme Menteur, 10 kegs of grease, 1 bag potatoes, 1 cow.

TERRITORY OF LOUISIANA
LOUISIANA as proclaimed by LASALLE
CANADA
NEW MEXICO
GULF OF MEXICO

A canoe—André Poitras, Joseph [illegible], 20 packs, [illegible] 13 bags of pemmican, 1 bag of potatoes, 2 bags of grease, 30 pieces, 1 buffalo

Dauphin, [illegible] packs, [illegible] Dumay [illegible] 2 bags [illegible] and [illegible] Gervais [illegible] bags of [illegible] 3 bags of [illegible] 1 bag

CHAPTER V

THE LOUISIANA PURCHASE

EVENTS LEADING UP TO THE PURCHASE—DISCOVERY AND ACQUISITION—LEWIS AND CLARK—THE JUNE RISE IN THE MISSOURI RIVER—THE ARIKARA VILLAGES—GREAT HERDS OF BUFFALO, ELK AND OTHER GAME—MANDAN VILLAGES—FORT MANDAN—THE FLAG ON FORT MANDAN—STARS AND STRIPES—THE WINTER OF 1804-05 IN NORTH DAKOTA—THE BEAUTIFUL NORTHERN LIGHTS—VISITING TRADERS—SAKAKAWEA, THE BIRD-WOMAN—THE MISSOURI FUR COMPANY—THE RETURN OF THE MANDAN CHIEF.

> **"Though watery deserts hold apart**
> **The worlds of east and west,**
> **Still beats the self-same human heart**
> **In each proud nation's breast."**
> ***—Oliver Wendell Holmes.***

DISCOVERY AND ACQUISITION

The Mississippi River was discovered by Fernando de Soto, a native of Spain who in 1519, accompanied the governor of Darien (now Panama) to America, leaving his service in 1528, to explore the coast of Guatemala and Yucatan in search of a passage between the Atlantic and Pacific oceans. After explorations and military service under Pizarro in Peru, early in April, 1538, he undertook the conquest of Florida, then a vast region under the Emperor Charles V of Spain, sailing with a large expedition, and arriving at Tampa Bay, then called Espiritu Santo, May 25, 1539. Seeking gold he explored the rivers of Florida, contending with Indians and pestilential fever, and marched to the northwest and reaching the Mississippi River in the spring of 1541, he marched southwest and northwest in his discoveries, and to the White River, his western limit, then proceeding south in March and April, 1542, along the Washita to, and following, the banks of the Mississippi, during May or June, he contracted the fever and died at the age of forty-six. His body wrapped in a mantle was buried in the stream.

Spaniards have the reputation of being unsuccessful colonizers and de Soto's followers were no exception to the rule. A statement in verse by Prof. William P. Trent, in 1898, accurately describes the quality of their policy, and its results:

> **"Thine hour has come: a stronger race**
> **Succeeds and thou must fall,**
> **Thy pride but adding to thy sad disgrace,**
> **As wormwood unto gall.**

And yet thou hast but reaped what thou hast sown,
For in thy pride of strength,
Thou didst the kingdom of the mind disown,
And so art sunk at length."

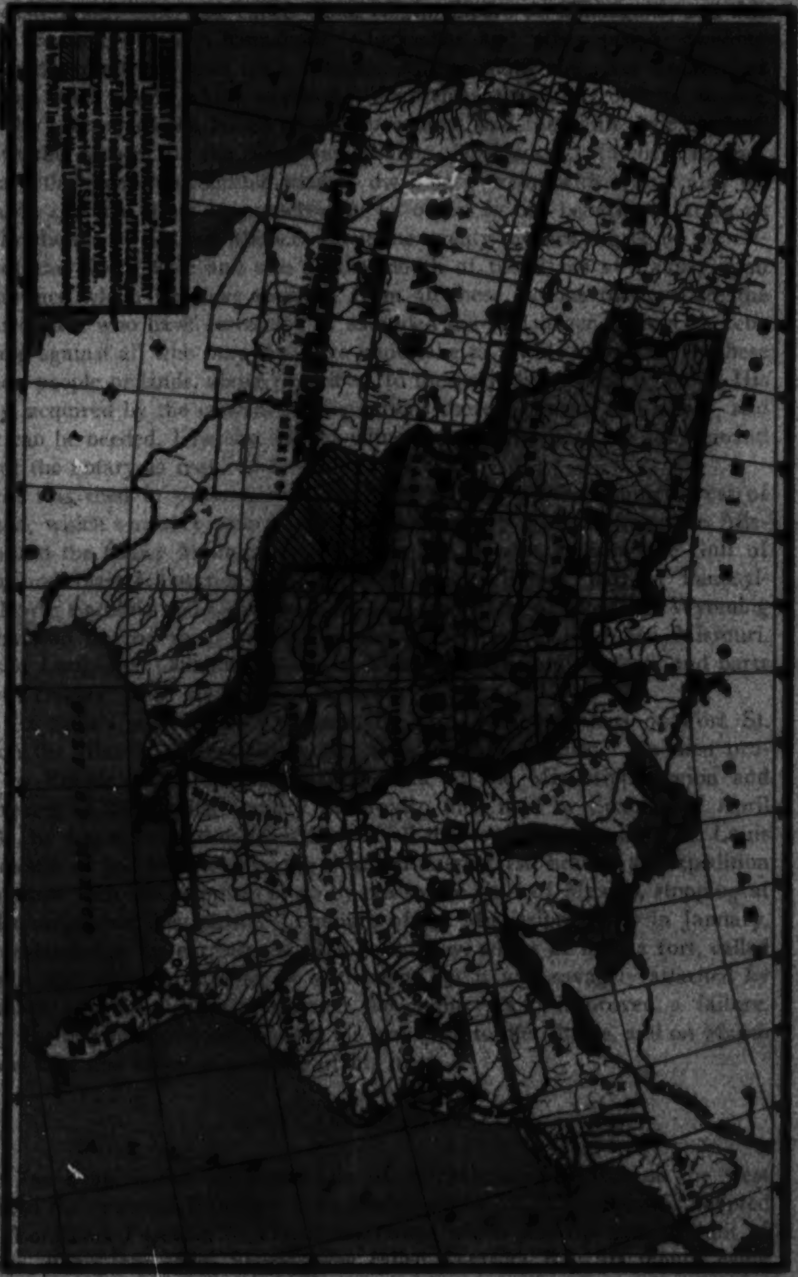
In the seventeenth century, Robert Cavalier Sieur de La Salle, emigrant from France to Canada in 1666, and founder of La Chine, in 1669, was leader of an exploring expedition to the head of Lake Ontario and subsequently to the Ohio River and down that river to the site of the present City of Louisville.

In the autumn of 1674, he went to France, and as the result obtained a grant of Fort Frontenac and the settlement May 13, 1675. In 1678, having established in Canada a center for the fur trade of French and Indian settlers in opposition to another organization, he obtained permission from the French government to carry on western explorations for five years, to establish posts and have exclusive control of the trade in buffalo skins, exception being made to trade with the Ottawas who disposed of their furs in Montreal.

In this voyage of discovery, with a company of about thirty men, he sailed for La Rochelle, July 14th, and having established a post, and near the mouth of the Niagara River, built a boat of 55 tons, called the "Griffon," in August, 1679, set out on his expedition, passing through Lakes Erie, St. Clair, Huron and Michigan to Green Bay, thence in canoes to the mouth of the St. Joseph's River, where he established a trading post called Fort Miami, then ascending the St. Joseph's, he crossed to the Kankakee and sailed down until he reached a village of the Illinois, with whom he treated and in January, 1680, having partly built a post near the present site of Peoria, called Fort Crevecoeur, he retraced his steps to Canada from the mouth of the St. Joseph's, striking across Michigan, made his way overland to Lake Erie, and then to his post at Niagara. There he assembled another party and set out again for Fort Crevecoeur with supplies, but finding the fort abandoned he explored the Illinois River to its mouth, and returned for recruits and supplies. December 21, 1681, he started with a party from Fort Miami, ascended the Chicago River, crossed to the Illinois and descended to the Mississippi, and camping with the Indians kept on until the river divided, exploring each channel to the Gulf of Mexico, and on April 9, 1682, erected a cross and a monument bearing the arms of France and the inscription: "Louis the Great, King of France and of Navarre, Reigns This Ninth of April, 1682," at the mouth of the Mississippi, and ran up the French flag, taking formal possession of the country through which the river flowed. The chanting of the Te Deum, the Exaudiat and the Domine Salvum fac Regem, was included in the exercises, which closed with the firing of a salute and cries of "Vive le Roi."

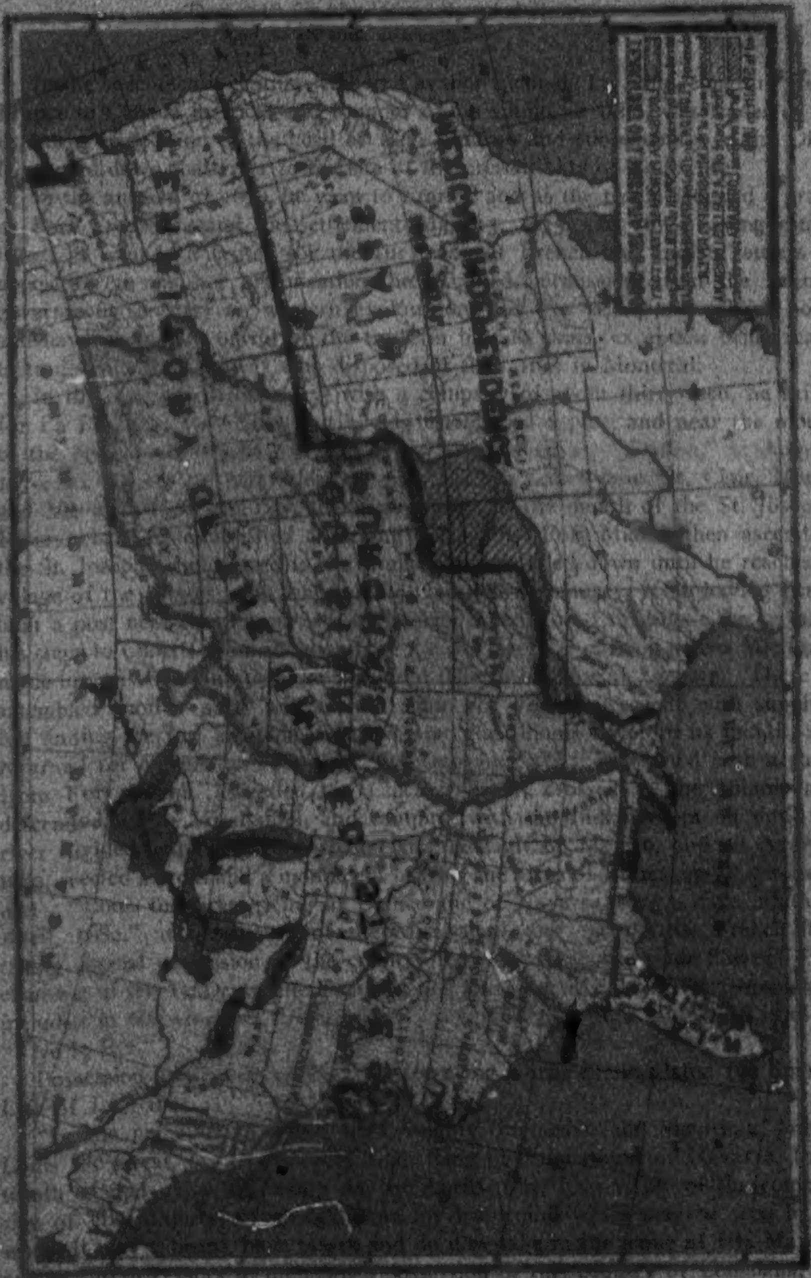
Possession was proclaimed in the following words as translated for Sparks' Life of La Salle:

"In the name of the most high, mighty, invincible and victorious prince, Louis the Great, by the grace of God, King of France and of Navarre, fourteenth of that name, this ninth day of April, 1682, I, in virtue of the commission of His Majesty, which I hold in my hand, and which may be seen by all whom it may concern, have taken, and do now take in the name of His Majesty and of his successors to the crown, possession of this country of Louisiana, the seas, harbors, ports, bays, adjacent straits, and all the nations, people, provinces, cities, towns, villages, mines, minerals, fisheries, streams and rivers, comprised in the extent of said Louisiana, from the mouth of the great river St. Louis



opposite the southern extremity of Palm Island, now called Sarasota Key

And yet thou hast but reaped what thou hast sown,
Fair in thy pride of strength.



seas, harbors, ports, bays, adjacent straits, and all the nations, people, provinces cities, towns, villages, mines, minerals, fisheries, streams and rivers, comprised in the extent of said Louisiana, from the mouth of the great river St. Louis on the eastern side otherwise called Ohio, Aligin, Sipore or Chukagona, and this with the consent of the Chaonanons, Chickachas and other people dwelling therein, with whom we have made alliance, as also along the river Colbert, or Mississippi and rivers which discharge themselves therein, from its source, beyond the country of the Kious or Nadoucessious, and this with their consent, and with the consent of the Motantes, Illinois, Mesiganeas, Natches, Koreas, which are the most considerable nations dwelling therein, with whom also we have made alliance, either by ourselves or by others in our behalf, as far as its mouth by the sea or Gulf of Mexico, about the twenty-seventh degree of the elevation of the North Pole and also to the mouth of the River of Palms; upon the assurance which we have received from all these nations that we are the first Europeans who have descended or ascended the said River Colbert; hereby protesting against all who may in future undertake to invade any or all of these countries, people or lands, above described, to the prejudice of the rights of His Majesty, acquired by the consent of the nations therein named. Of which, and all that can be needed, I hereby take to witness those who hear me and demand an act of the notary as required by law."

Spain was then in possession of the Floridas and of the country west of Louisiana, which territory embraced all of the country lying between the Alleghanies and the Rocky Mountains, drained by the streams entering the Gulf of Mexico, and their tributaries. It embraced West Virginia, part of Pennsylvania, North Carolina and Georgia on the east, and parts of Montana, Wyoming and Colorado on the west, and all of the present states of Iowa, Missouri, Arkansas, Louisiana, Oklahoma, Kansas, Nebraska and South Dakota and parts of North Dakota, New Mexico and Texas.

On La Salle's way back to Canada, he laid the foundations of Fort St. Louis on the Illinois, and in November, 1683, reached Quebec. He then proceeded to France and proposed the settlement of the Mississippi region and the conquest of the mining country of Mexico then held by Spain, and April 14, 1684, he was appointed commandant of all the country from Fort St. Louis to the mouth of the Mississippi. He then, on August 1st, headed an expedition of four ships with 280 colonists to go by sea to the Gulf of Mexico, stopping at Santo Domingo, but they passed the mouth of the Mississippi, early in January, 1685, and landed at the entrance of Matagorda Bay, where he built a fort, called St. Louis, and made an attempt at settlement, but it was savagely attacked by the Indians and Spanish, who claimed the country, and it proved a failure. January 7, 1687, he undertook to make his way back to the Illinois, and on March 19th, was shot and killed in a revolt of his men.

LIMITS AND TRANSFER

The line defining the drainage basin of the Mississippi River on the west constituted the limits of "Louisiana" as proclaimed by La Salle, and was adopted as the "Louisiana Purchase." The River Palms which was the eastern limit of Louisiana, flows into Palm Sound, now called Sarasota Bay, its mouth being opposite the southern extremity of Palm Island, now called Sarasota Key.

The first transfer relative to the Territory of Louisiana was a grant of commercial rights as far north as the Illinois River for a period of ten years by Louis XIV to Antoine de Crozat, September 14, 1712, subsequently transferred to the Mississippi Company, and the entire region known under the name of Louisiana together with New Orleans and the island on which that city stands was ceded to Spain by treaty of November 3, 1762. Then representatives of France, Spain, Great Britain and Portugal met at Paris, February 10, 1763, to define the boundaries of their respective possessions in North America, and France ceded to Great Britain the territory east of the Mississippi and north of latitude thirty-one degrees, and the Mississippi became the boundary between Louisiana and the British colonies. The Red River and its tributaries including parts of North Dakota and Minnesota and the Canadas became the undisputed property of Great Britain. On April 21, 1764, Spain ceded to Great Britain all of her territory east of the Mississippi River and south of latitude thirty-one degrees.

September 3, 1783, in the settlement of boundaries at the close of the Revolutionary war, the United States received from Great Britain all that part of the original Louisiana ceded to the latter by France in 1763, viz., the Territory of Louisiana, east of the Mississippi River and north of latitude thirty-one degrees, and Great Britain ceded back to Spain the territory south of latitude thirty-one degrees and east of the Mississippi River, which the former had received by the treaty of 1763, effectually closing the Mississippi to the United States. Then came the retrocession by Spain of the colony or Province of Louisiana to France in 1800.

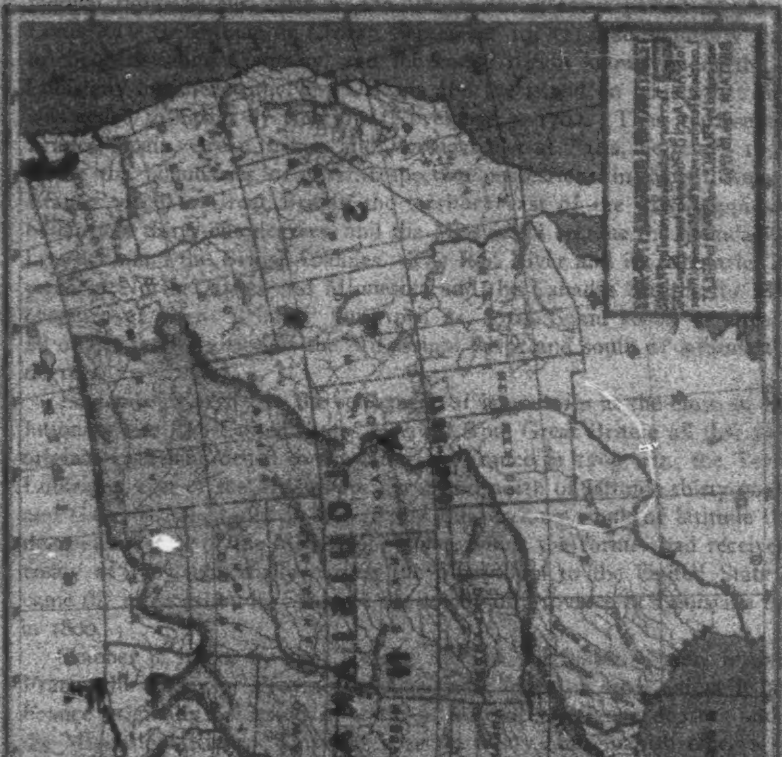
October 1, 1800, by the "Treaty of San Ildefonso," Spain retroceded to France the colony or Province of Louisiana, with the same extent it had when France originally possessed it, south of latitude thirty-one degrees and east of the Mississippi River. This was a secret treaty and Spanish officers still held possession.

April 30, 1803, for the sum of $15,000,000, the Republic of France ceded to the United States the Territory of Louisiana with the same extent that it had in the hands of Spain, and when France possessed it, and the United States accepted the territory between the Mississippi and Perdido rivers. The terms were arranged on the part of the United States by James Monroe, who had been a major in the Revolutionary war, afterwards secretary of war in Madison's cabinet during the War of 1812, and fifth President of the United States. He was sent to France by President Jefferson, of whom George F. Hoar, senator from Massachusetts said: "When we recall Jefferson we recall him with the Declaration of Independence in one hand and the treaty for the annexation of the Louisiana Territory in the other."

The treaty was signed by Robert R. Livingston, United States minister to France from 1801 to 1804, and James Monroe, on the part of the United States, and Barbé Marbois, on the part of France. Livingston had been instructed to negotiate for New Orleans and the Mississippi boundary line; the object of the United States Government being to remove all cause for irritation between this Government and the French, but Napoleon directed Marbois to offer to transfer the whole of Louisiana. He said: "I renounce Louisiana. It is not only New Orleans that I wish to yield, it is all the colony, without reserving anything. Provided, he could secure [illegible] francs. He secured $[illegible]

[illegible] (now the Hawaiian) Islands, and his expedition returned to Eng-

The first transfer relative to the Territory of Louisiana was a grant of com-



only New Orleans that I wish to yield. It is all the colony without reserving any thing." Provided, he could secure 50,000,000 francs. He secured 80,000,000 francs, 20,000,000 of which were to be applicable to the extinguishment of claims against France, and 60,000,000 were to be paid in cash to France. Napoleon was in need of money, having sacrificed 200,000,000 francs in his expedition against Santo Domingo in 1802-03, without result.

The region comprehended in this purchase included all the country west of the Mississippi not occupied by Spain, as far north as British Territory, and comprised the whole or part of the present states of Arkansas, Colorado, Idaho, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Washington and Wyoming.

The American flag was first raised in New Orleans, December 20, 1803. By act of Congress March 26, 1804, the territory was divided into two governments, that of "Orleans," including the present State of Louisiana west of the Mississippi, and a portion east of the river, and a section called "Louisiana," comprising all the country north and west of that river. April 8, 1812, the Territory of Orleans was admitted into the Union under the title of the State of Louisiana, and on the 14th of the same month the remainder of the region east of the Mississippi now under the jurisdiction of the state was added. The name of the remainder of the territory which had been organized as the "Territory of Louisiana" with its capital at St. Louis on March 3, 1805, was on the 4th of June, 1812, changed to "Missouri."

On the day of the Louisiana Centennial Celebration, April 12, 1912, the courthouse commissioners floated over the new courthouse in New Orleans, a magnificent Louisiana flag, consisting of a solid blue field with the coat-of-arms of the state, the pelican feeding its young in white in the center, with a ribbon beneath, also in white, containing in blue the motto of the state, "Union, Justice and Confidence." This flag had been in use previous to 1861, and after 1877, but was not legalized as the state flag until July 1, 1912. Together with the stars and stripes it now waves over the state house whenever the General Assembly is in session, and on public buildings throughout the state on all legal holidays and whenever otherwise declared by the governor or the General Assembly.

The last conflict of arms between Great Britain and the United States, closing the War of 1812, was a great battle of which Gen. Andrew Jackson was the commanding officer, fought at New Orleans, January 8, 1815, now a legal holiday in Louisiana. The British were defeated. Accounts of casualties differ. Some give the loss to the British as 2,000, killed, wounded and captured, and the Americans as seven killed and six wounded; otherwise reported eight killed and fourteen wounded. James Monroe in a despatch at the time said: "History records no example of so glorious a victory obtained with so little bloodshed on the part of the victorious." See p. 127.

WESTERN EXPLORATION

In 1776, John Ledyard of Connecticut, accompanied Captain James Cook on his third voyage around the world, in the hope of reaching the Pacific Coast for the purpose of exploration. Captain Cook was murdered by the natives of the Sandwich (now the Hawaiian) Islands, and his expedition returned to England, but persisting in his efforts to explore the Pacific Coast, armed with passports from the Russian Government, procured through Thomas Jefferson, then United States minister to France, Ledyard, in 1786, left St. Petersburg, intending to go by land to Kamschatka, cross on one of the Russian vessels to Nootka Sound, enter the latitude of the Missouri, and penetrate through to the United States; departing on his journey with full assurance of protection while passing through Russian territory. Two hundred miles from Kamschatka, he went into winter quarters, and while preparing for his journey the next spring, he was arrested February 24, 1788, by an officer of the Russian Government, and, forbidden to proceed on his explorations, was conveyed by day and night in a closed carriage direct to Poland, where he was released and given to understand that if again found in Russian territory, he would be hanged. Broken in health and spirits, he died in Cairo, Egypt, January 17, 1789, at the age of thirty-eight. Many extracts from his letters to Jefferson have been published.

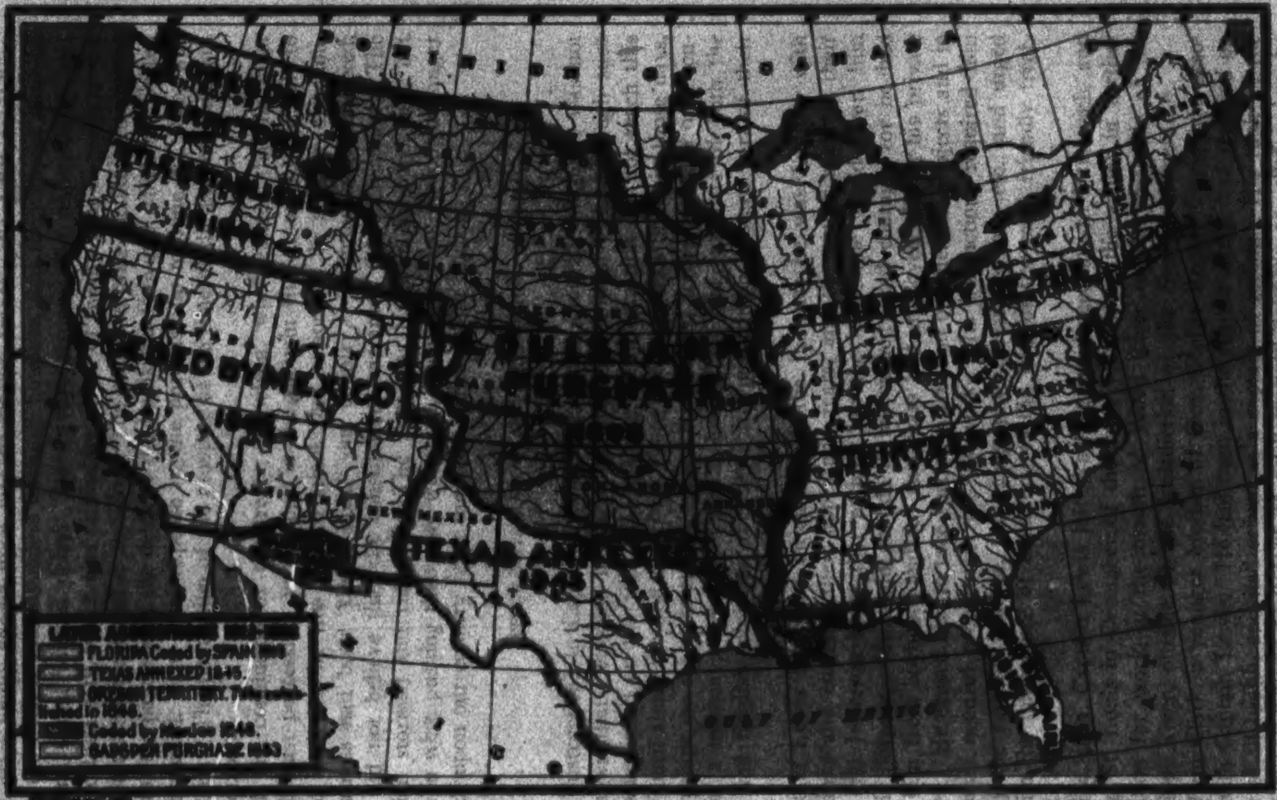
In 1792, Thomas Jefferson, then secretary of state in the cabinet of George Washington, President of the United States, proposed to the American Philosophical Society a subscription to engage some competent person to explore Louisiana, by ascending the Missouri River, crossing the mountains and descending to the Pacific Coast, as Lewis and Clark finally did.

Capt. Meriwether Lewis of the First United States Infantry, then stationed at Charlottesville, Va., on recruiting service solicited his selection for this service. He was to be accompanied by a single person only, and Andre Michaux, a distinguished French botanist, received the appointment. They went as far as Kentucky, when the French minister recalled Michaux, on the plea that his services were required elsewhere by his government in botanical research. Thus a second attempt to explore Louisiana failed.

THE UNITED STATES IN THE PURCHASE OF LOUISIANA

In 1801 Thomas Jefferson was inaugurated President of the United States. Spain had ceded Louisiana back to France and Napoleon Bonaparte was preparing to defend it against the whole world, but the war clouds of Europe were threatening. Spain had denied to the United States rights previously enjoyed in Louisiana and there was dissatisfaction with France through her attitude in the Floridas. The Mississippi was practically closed to the United States. A proposition had been submitted to the United States Congress, to appropriate $5,000,000, and send an army of 50,000 men to seize the mouth of the Mississippi River. Robert R. Livingston, United States minister to France, was in Paris, endeavoring to arrange the matter amicably with the French. He was joined by James Monroe, of Virginia, commissioned to assist in the work, in whose hands the sum of $2,000,000 was placed to secure the cession of New Orleans and the Floridas. While these negotiations were pending with no apparent likelihood of success, President Jefferson had proposed to Congress that an expedition be sent to trace the Missouri River to its source, crossing the highlands, and following the best water communication to the Pacific Ocean.

Congress had made this appropriation, and Captain Lewis, who was then President Jefferson's private secretary, had been chosen to carry the plan into effect. Suddenly Napoleon's policy changed and he demanded the United


DOMINION OF CANADA
OREGON TERRITORY
TITLE ESTABLISHED IN 1846
CEDED BY MEXICO 1848
LOUISIANA PURCHASE 1803
NEW MEXICO
TEXAS ANNEXED 1845
TERRITORY OF THE
ORIGINAL
THIRTEEN STATES
GULF OF MEXICO
FLORIDA Ceded by SPAIN
TEXAS ANNEXED 1845.
OREGON TERRITORY. Title established in 1846.
Ceded by Mexico 1848.
GADSDEN PURCHASE 1853.

land, but persisting in his efforts to explore the Pacific. C[illegible] with [illegible] Jefferson, [illegible] burg, [illegible] to [illegible] to the [illegible] while [illegible] he [illegible] spring, [illegible] ernment, [illegible] night [illegible] under- [illegible] taken to [illegible] lished. [illegible] George [illegible] Philo- [illegible] explore [illegible]

[illegible] which required [illegible] for the service. He [illegible] Michaux, a dis- [illegible] Kentucky [illegible] that he [illegible] Thus [illegible]

[illegible] the United States, [illegible] pre- [illegible] were [illegible] employed in [illegible] Floridas [illegible] the Florida [illegible] United States. A [illegible] Paris, [illegible] by [illegible] hands [illegible] and the [illegible] of [illegible] he [illegible] follow [illegible] Meriwether Lewis, who was then President Jefferson's private secretary, had been chosen to carry the plan into effect. Suddenly Napoleon's policy changed and he demanded the United

States take not only New Orleans and the Floridas, but the whole of Louisiana, and the price finally agreed upon was 80,000,000 francs (about fifteen million dollars) the French commissioners insisting, however, that the compact must be signed and sealed without delay. The envoys assumed the responsibility and completed the treaty, which was ratified by a vote of twenty-four to seven in the United States Senate, October 20, 1803. The purchase price included 20,000,000 francs for the payment of the debts of the Louisiana Province which the United States assumed. The total expense of the purchase up to June 20, 1880, was $27,267,621. The population of the province at the time of the purchase did not exceed 90,000.

With the conclusion of the treaty, Napoleon, who realized that he must lose this vast possession, was happy in the thought that it would not fall to England, and that he was free to attack that nationality in another direction.

Greatness had been "thrust upon" our country. Jefferson was perplexed, for he did not believe that the constitution warranted this transaction. The opposition stormed and ridiculed. The East was bitter in its opposition, but those who were pushing their way westward, knew there was no longer danger of attack upon our country from the West. The South rejoiced.

THE LEWIS AND CLARK EXPEDITION

The instructions to Captain Lewis were signed June 20, 1803. It was not then known that Louisiana had been ceded to the United States, though such treaty was signed on the 30th of April, for the information did not reach this country until about the first of July. There were no ocean liners in those days, no steamships, no cables to transmit news now flashed across an ocean or a continent in a moment; therefore Captain Lewis bore the passports of both the French and English ministers, the latter for use on the western part of their trip.

Captain Lewis had been intimate with the Indians; he was familiar with their habits and customs, their hopes and fears, and the tender spots in their hearts, and Jefferson knew that nothing but the impossible would divert him from his purpose. He could confide in his capacity and courage, for he had known him from boyhood, and for two years had employed him as his private secretary. He caused him to take special instruction on scientific subjects and to make other needful preparation for his work. His instructions required him to study the soil and climate, the topography, the inhabitants, etc., and urged upon him the importance of extending to the Indians the most friendly treatment.

July 5, 1803, Captain Lewis left Washington, proceeding to Pittsburgh, and reaching St. Louis in December of the same year, spent the winter in further preparation for work, at the mouth of Wood River on the east side of the Mississippi River, outside of the jurisdiction of the Spanish officers.

William Clark, a younger brother of Gen. George Rogers Clark, was associated with Captain Lewis. He had been in the regular army, had resigned on account of ill health, and had served as a captain of militia. His rank on the expedition was second lieutenant of artillery until January 31, 1806, when he was promoted first lieutenant. He was promised, however, before undertaking the expedition the rank of captain of engineers, and was to have equal rank and authority with Captain Lewis. He was so recognized by Captain Lewis. His official signature was captain of engineers.

In addition to Captain Lewis and Captain Clark, the party consisted of fourteen picked men from the United States army—born and bred among the dangers and difficulties incident to frontier life, nine young men from Kentucky, two French watermen, an interpreter, a hunter and the colored servant of Captain Clark, named "York," also, a corporal and six men and nine watermen, who were to return when they reached the Mandan nation.

Their means of transportation was a keel-boat fifty-five feet long drawing three feet of water. It carried one large square sail and twenty-two oars, and had a deck of ten feet in the bow and stern, affording cabin and forecastle. Midships it was fitted with lockers, which might be raised for breastworks in case of need. There were, also, two open boats, one of six and the other of seven oars.

After spending the winter at Wood River, they broke camp May 14, 1804, at 4 P. M. and made four miles that evening, the next day making ten miles, and reached St. Charles the third day. St. Charles then had about four hundred and fifty inhabitants, relying principally for subsistence upon hunting and trade with the Indians.

THE JUNE RISE IN THE MISSOURI

On the 23rd they found a small American settlement at Goodman Creek, and in a few days evidently encountered the "June rise" in the Missouri River, for they speak of the cut banks of the river falling so rapidly as to force them to change their course instantly to the other side. The sand bars were shifting continuously, and the current was so strong, that it was scarcely possible to make any headway. Some days by the aid of the sail, even, it was impossible to make more than four miles.

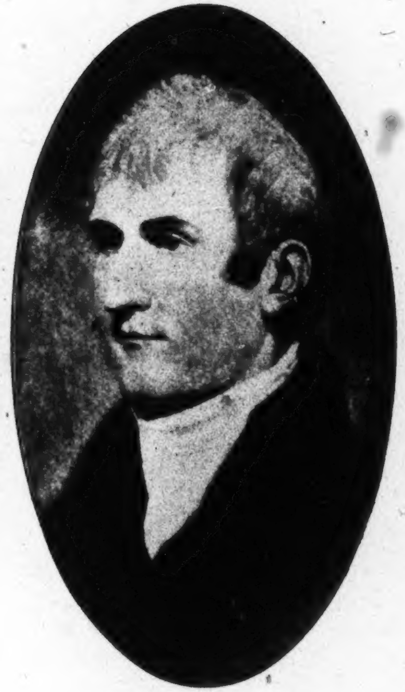
The current of the river at the time of the June rise is about seven miles an hour. The river runs nearly bank full from the melting snows in the mountains, and the heavy rains of that season, and wherever the current strikes the shore it quickly cuts away the banks, which tumble in; several rods of the bank often disappearing in one day. The water is extremely muddy, but when settled is considered perfectly pure and healthful, and is clear above the mouth of the Yellowstone River, where that stream joins the Missouri.

THE ARIKARA VILLAGES

Lewis and Clark arrived at the three Arikara villages about three miles above the mouth of the Grand River, October 8, 1804. The villages extended up the river about four miles, and numbered about two thousand six hundred men. The first composed of about sixty lodges, was on an island three miles in length, covered with fields of corn, beans, potatoes and squashes. The principal chiefs of the first village were Kakawissassa or Lighting Crow, Pocasse or Hay and Piaheto or Eagle's Feather.

The chief of the second village was Lassel and the chief of the third village,

WILLIAM CLARK



MERIWETHER LEWIS

Ar-ke-tar-na-shar, who accompanied the expedition to the Mandan villages for the purpose of negotiating a peace treaty between the Arikaras and Mandans, who were then at war.

Lewis and Clark met the Indians in council at their respective villages, and after stating the object of their visit, urged the importance of maintaining peace with the Mandans and Hidatsas, especially in view of the aggressive disposition of the Sioux. In token of their appreciation of the friendly advice given them, the Indians supplied them liberally from their store of corn and beans. They also gave them a quantity of large, rich beans, collected by the gophers ("prairie mice" as written in their journal), and secured from their burrows by the squaws. In return they gave the Indians a steel corn mill and other appropriate presents.

Several Frenchmen were living at the Arikara villages; among them Joseph Gravelines and Anthony Tabeau, traders, were active in bringing the Indians together for a conference on October 10th. Another meeting was held on the 11th at the upper Arikara Village, and another on the 12th. On the 14th they passed the forty-sixth parallel.

Gravelines accompanied one of the chiefs to the Mandan villages in connection with the proposed peace negotiations, and a peace treaty was finally arranged between the Arikaras, Mandans and Hidatsas, now known as the Berthold Indians, which has been maintained between these tribes for more than one hundred years.

Sergt. Patrick Gass, who accompanied the expedition, visited a large number of Indian lodges, and in his memoirs left a very interesting description of the Arikara lodge or dwelling house, as follows:

"In a circle of a size suited to the dimensions of the intended lodge, they set up sixteen forked posts, five or six feet high, and lay poles from one fork to another. Against these poles they lean other poles, slanting from the ground and extending about four inches above the cross poles; these are to receive the ends of the upper poles that support the roof. They next set up four large forks fifteen feet high and about ten feet apart, in the middle of the area, and poles or beams between these. The roof poles are then laid on, extending from the lower poles across the beams, which rest on the middle forks of such a length as to leave a hole at the top for a chimney. The whole is then covered with willow branches, except the chimney and a hole below to pass through. On the willow branches they lay grass and lastly clay. At the hole below they build a pen about four feet wide and projecting ten feet from the hut, and hang a buffalo skin at the entrance of the hut for a door. This labor, like every other kind, is chiefly performed by the squaws."

The ground on the inside of the lodge was excavated for about a foot and a half below the surface, and the earth from the excavation was thrown up against the poles, forming an embankment which added to the warmth and served as a protection in case of attack. The lodges were large enough to admit the horses belonging to the family, separated by a partition from the living part.

In approaching the Arikara villages the expedition had passed through a long strip of country occupied by the Sioux, who were threatening and defiant in their attitude. Captain Lewis in his journal, thus writes of them:

"Relying on a regular supply of merchandise through the channel of the St. Peters (Minnesota) River, they viewed with contempt the merchants of the Missouri, whom they never fail to plunder when in their power. Persuasion or advice with them is viewed as supplication, and only tends to inspire them with contempt for those who offer either. The tameness with which the merchants of the Missouri have hitherto submitted to their rapacity, has tended not a little to inspire them with contempt for the white persons who visit them through that channel. A prevalent idea among them, and one that they make the rule of their conduct, is that the more illy they treat the traders, the greater quantity of merchandise they will bring them, and that they will obtain the articles they wish on better terms; they have endeavored to inspire the Ricaras (Arikaras) with similar sentiments, but, happily without considerable effect."

Yet the Sioux were in the possession of some good qualities. The late General Gouverneur K. Warren served among them as an officer of the United States army, and knew them well, and in his reports spoke kindly of them. In 1855, he wrote:

"I have always found the Dakotas exceedingly reasonable beings, with a very proper appreciation of their rights. What they yield to the whites they expect to be paid for, and I have never heard a prominent man of their nation express any opinion in regard to what was due them in which I did not concur. Many of them view the extinction of their race as the inevitable result of the operation of present causes, and do so with all the feeling of despair with which we should contemplate the extinction of our nationality."

The Sioux claimed a vast extent of country and within its limits were at all times ready to contend for what they regarded their rights. Among the characteristics of the Sioux was their fondness for intoxicating liquors, and they would make almost any sacrifice to obtain it; but of the Arikaras it was said by Lewis and Clark:

"We were equally gratified at the discovery that the Ricarees made use of no spirituous liquors of any kind, the example of the traders who bring it to them, so far from tempting, having, in fact, disgusted them. Supposing it was as agreeable to them as to other Indians, we had offered them whiskey, but they refused it with the sensible remark that they were surprised that the father should present to them a liquor which would make them fools."

On another occasion they observed that no man could be their friend who tried to lead them into such follies.

None of the Missouri River Indians were then addicted to the use of intoxicating liquors, excepting the Sioux, who obtained it from the British traders on the Minnesota River, and the Assiniboines who secured it from the British traders on the Assiniboine River.

The attitude of the Arikaras was friendly, and in speaking of the Sioux who had closed the way to trade to them, forcing them to rely on the Sioux for arms and ammunition, their principal chief said the door to their country was now open and no man dare close it.

There were some things, however, they believed to be essential to their happiness. They were poor, but they would give anything for red paint. They were tender-hearted and very proud. When one of the soldiers of the expedition was punished by whipping, an Indian chief cried aloud in agony. He said his people sometimes exacted the penalty of death for misdemeanors, but never that of being whipped, not even from children.

GREAT HERDS OF BUFFALO

October 18th the party reached Cannonball River, and in their journal great herds of buffalo, elk, deer and goats (antelope) are noted. From one point they counted fifty-two distinct herds of buffalo and three of elk. The great plains surrounding the location of the future City of Bismarck were literally covered with buffalo, elk, antelope and other game.

Arriving at Sibley Island on the 20th they made note of the deserted Mandan villages in the vicinity of Bismarck and Mandan, and the old fortified village about a mile from the site of the present capital of North Dakota. The beautiful plains and the presence of coal near the locality where Washburn is situated were specially attractive features.

The Mandans informed Lewis and Clark that it was about forty years since they left their villages about Bismarck and Mandan, and moved up to the Knife River.

MANDAN VILLAGES

October 27, 1804, they went into camp for the winter at a point a short distance below the mouth of Knife River, in latitude 47 degrees, 21 minutes, and 47 seconds, and the computed distance from the mouth of the Missouri, 1,600 miles.

On the second day after their arrival, an extensive prairie fire raged in the vicinity of the Mandan villages, resulting in several serious accidents. One woman, caught by the fire with a half-white baby in her arms, dropped the child on the prairie, covered it with a green or uncured buffalo skin, and made good her own escape from the flames. The fire passed around the child, leaving it uninjured. The Indians accepted this incident as proof that the whites were good medicine, and this to a large extent, accounted for their kindly disposition toward the expedition.

October 29th, they had a council with the Indians, and gave appropriate presents to the chiefs of each village. To Black Cat the Grand Chief, they gave an American flag.

The chiefs made or recognized that day by Lewis and Clark, were as follows:

Of the first or lower Mandan village, situated on the present site of Deapolis, then known as Matootonha, first chief, Shahaka or Big White; second chief, Ka-goh-ha-mi or Little Raven; inferior chiefs were Ohheena or Big Man, a Cheyenne captive adopted by the Mandans, and She-ta-har-re-ra or Coal.

Of the second village, called Roop-tar-hee, the only one situated on the north side of the Missouri River, they made Pose-cop-sa-he or Black Cat, the first chief of the village and the grand chief of the whole Mandan tribe. His second chief was Car-gar-no-mok-she, or Raven Man Chief; the inferior chiefs were Taw-nuh-e-o Bel-lar-sara and Ar-rat-tana-mock-she, Wolf Man Chief.

The third village in the immediate vicinity of the present site of Stanton, was called Mah-har-ha and of this Ta-tuck-co-pin-re-ha or White Buffalo Robe Unfolded, was the first chief, and Min-nis-sur-ra-ree, or Neighing Horse, and

Le-cong-gar-ti-bar, or Old-Woman-at-a-Distance, were recognized as inferior chiefs.

Half a mile from this village was a Minetaree village called Me-te-har-tan. Of this Omp-se-ha-ra, or Black Moccasin, was first chief, and Oh-harh, or Little Fox, second chief.

The Ahnahaways, called Souliers by the French, lived in this village. They merged with the Hidatsas about thirty years later, and have since been recognized as a part of that tribe. The Souliers numbered, at this time, about 50 men, the Hidatsa 450, and the Mandans 350.

The fourth village was called Me-te-har-tan. The principal chief was Mar-noh-tah, or Big Thief; he was at war and was killed soon afterwards.

The chiefs recommended were Mar-se-rus-se, or Tail-of-the-Calumet-Bird, Ea-pa-ne-pa, or Two-Tailed-Calumet-Bird, and War-ke-ras-sa, the Red Shield.

The fifth or Hidatsa village was on the north side of the Knife River, 1½ miles above its mouth, near Causey. It was the home of Le Borgne, Mau-pah-pir-re-cos-sa-too, the dominating influence in the Mandan villages, but he was absent at the time of the arrival of Lewis and Clark. The chiefs recommended at the council for recognition were Sha-hake-ho-pin-nee, or Little Wolf Medicine and Ar-rat-toe-no-mook-ge, Man Wolf Chief, who was at war. He was represented by Cal-tar-co-ta, or Cherry-on-the-Bush, by whom the usual chief's presents were sent to Le Borgne.

When David Thompson of the North-West Company visited the Mandan villages in 1796, he found in the five villages 318 houses and seven tents. There were then two villages on the north side of the Missouri River, united in one before the visit of Lewis and Clark. This village was about three miles from the other Mandan villages on the Knife River.

FORT MANDAN

Lewis and Clark established at their camp a post which was known as Fort Mandan, consisting of two rows of huts or sheds, forming an angle where they joined each other. Each row had four rooms, fourteen feet square and seven feet high, with plank ceiling, and the roof slanting so as to form a loft above the rooms, the highest part of which was eighteen feet above the ground. The body of the huts formed a wall of that height. Opposite the angle the place of the wall was supplied by picketing, and in the rear were two rooms for stores and provisions. The American flag was raised over Fort Mandan for the first time December 25, 1804, and this was probably the first time that the flag floated in North Dakota.

THE FLAG ON FORT MANDAN

The flag raised by Lewis and Clark over Fort Mandan was the flag adopted by the United States Congress January 13, 1794, with fifteen stripes and fifteen stars, instead of the original thirteen stripes and thirteen stars provided by the act of June 14, 1777. Congress first met in Washington November 17, 1800, and Ohio, the seventeenth state, was the first one to be admitted in Washington and bears the date April 30, 1802. After that there were no states admitted

The United States Flag

Adopted June 14, 1777.

Flag of the free heart's hope and home
  By angels' hands to valor given;
Thy stars have lit the welkin dense,
  And all thy hues are born in Heaven.
Forever float that standard sheet!
  Where breathes the foe but falls before us,
With Freedom's soil beneath our feet,
  And Freedom's banner streaming o'er us.
—Joseph Rodman Drake.

for ten years, or until Louisiana joined the Union, April 8, 1812. But not until the act of April 4, 1818, was provision made for adding a star for each state admitted.

OUR FLAG AND ITS DAY

"Your Flag and my Flag!
To every star and stripe
The drums beat as hearts beat
And fifers shrilly pipe!
Your Flag and my Flag—
A blessing in the sky:
Your hope and my hope—
It never hid a lie!

Home land and far land, and half the world around,
Old Glory hears our glad salute, and ripples to the sound!"
—*Wilbur D. Nesbit.*

Since the dawn of our republic there have been at least four distinctive flags for which their devotees were willing to sacrifice their lives. They were the "Pine Tree State," the "Rattlesnake," "Liberty and Union," and the "Stars and Stripes" of 1777.

Flags of various designs had been in use by the soldiers of the American colonies in the early days and Revolutionary as well as more recent exploration periods, the "Bear Flag," for example, now being jealously guarded by the Pacific Coast pioneers.

The "New England Flag," used during the Colonial and Provincial periods, was white, bearing the red cross of St. George, with a pine tree in the corner. The pine tree is still borne on one side of the flag of the State of Massachusetts. The flag which was carried at the siege of Boston bore the crosses of St. Andrew and St. George in the corner.

Two years before the signing of the Declaration of Independence, on October 21, 1774, the patriots of Taunton, a small town in the State of Massachusetts, as a protest against British rule, raised over the "Green," in the center of the town. a flag inscribed "Union and Liberty." It was the first flag of the American colonies in opposition to the British, and has been immortalized in verse by Hezekiah Butterworth under the title of "The Red Flag of Taunton."

STARS AND STRIPES

The first stripes used on the American colors were borne by cavalry in 1775. The colors presented to the Philadelphia Light Horse Troop, organized 1774, were made of bright yellow (for cavalry) silk, forty inches long, thirty-four inches broad, and had thirteen blue and silver stripes alternate in the corner or canton. Over the crest in the center of the banner, a horse's head, were the letters "L. H." (Light Horse). Underneath was a scroll, with the words, "For These We Strive," and on the sides an Indian and an angel blowing a trumpet. The flag that flew from Washington's headquarters in Cambridge, Mass., first run up January 1, 1776, was composed of thirteen red and white stripes, with the crosses of St. George and St. Andrew emblazoned on the blue space, instead of the stars. In February of that year from the fleet on the Delaware River the same flag floated.

THE ELEVENTH TOAST

At the celebration by Congress of the first anniversary of the signing of the Treaty of Alliance, Amity and Commerce, which took place at Paris, February 6, 1778, whereby France recognized the independence of the United States, this being the first treaty made by the United States with any foreign power, thirteen toasts were drunk. The eleventh honored the flag in a practical manner:

"May the American stripes bring Great Britain to reason."

The flag then had thirteen stripes.

"My forefathers were America in the making;
They spoke in her council halls;
They died on her battlefields;
They commanded her ships;
They cleared her forests.
Dawns reddened and paled,
Stanch hearts of mine beat fast at each new star
In the Nation's flag.
Keen eyes of mine foresaw her greater glory;
The sweep of her seas,
The plenty of her plains,
The man-hives in her billion-wired cities.
Every drop of blood in me holds a heritage of patriotism.
I am proud of my past.
I am an American."

—*Elias Lieberman.*

The United States flag was first seen and saluted in foreign lands February 14, 1778, flying from the United States ship Ranger as she sailed into the harbor of Brest, in command of John Paul Jones, and received from the French commander the salute from the guns of his fleet.

The decline of the royal ensign took place on the 25th of November, 1783, when the British troops evacuated New York, the stars and stripes being hoisted in the city while the royal ensign was run down.

PROPORTIONS ADJUSTED

June 14, 1777, the United States Congress adopted a resolution that the flag of the thirteen independent states should be thirteen stripes alternate red and white, and that the union be thirteen stars, white on a blue field, representing a new constellation. The thirteen original states in order of settlement, were: Virginia, New York, Massachusetts, New Hampshire, Connecticut, Maryland, Rhode Island, Delaware, North Carolina, New Jersey, South Carolina, Pennsylvania and Georgia.

The original domain of the United States over which the flag held dominion, comprised the thirteen states with the additional area acquired by conquest from Great Britain; the whole being bounded on the west by the Mississippi River, on the south by the thirty-first parallel of latitude,—the Florida boundary,— on the east by the Atlantic Ocean, and on the north by the British possessions. The part of the area called the Northwest Territory, in which New York, Pennsylvania, Massachusetts, Connecticut and Virginia originally held claims, was subsequently relinquished to the general government. Its domain is today (1916) estimated at three million six hundred and eighty-six thousand seven hundred and eighty square miles, including insular dependencies.

The public announcement of the adoption of the flag and the design, occurred on September 3, 1777, and it was first displayed at Fort Schuyler in 1777, on the site of the present city of Rome, N. Y., where there was a garrison of about eight hundred men to whom the new statute regarding the flag was announced on the evening of the second day of August, and a flag, composed of cloth cut out of wearing apparel, but complete according to the statute, was made, and the next day, with due formality, the drummer beating the "assembly," and the adjutant reading the resolution, the flag of the republic was raised on the northeast bastion of the fort, that being nearest the camp of the enemy. This much is absolutely certain regarding the flag's nativity. It cannot be antedated, and it had thirteen stars and thirteen stripes, and January 13, 1794, in order to add two more states,—Vermont (which produced many strong pioneers for the western states, and celebrated her one hundred and twenty-fifth anniversary July 12, 1916) 1791, Kentucky, 1792—the flag was changed by law to take effect May 1, 1795, to comprise fifteen stripes alternate red and white; the Union being represented by fifteen stars, white in a blue field, and this was the national flag during the War of 1812, and the one which was apostrophized by Francis Scott Key, the "Star-Spangled Banner," while waving over Fort McHenry, September 14, 1814, at the unsuccessful bombardment of the City of Baltimore, Md., by the British, and which now reposes in the National Museum at Washington. It was presented, when its usefulness was over, to Colonel George Armistead, the commander of the fort, and was inherited by his daughter, Mrs. William Stuart Appleton, who in her will bequeathed it to her daughter, who also married an Appleton, and was the mother of William Sumner Appleton, now corresponding secretary of the Society for the Preservation of Antiquities in Boston. The will was broken and the flag passed to her son, Eben Appleton, of New York, who in 1915 presented it to the National Museum, where it can be seen by the people, "at last finding a safe resting-place," writes Sumner Appleton, "for which we must all be very glad."

It was the flag of 1795, under which General Andrew Jackson fought the battle of New Orleans, the flag raised by Lewis and Clark at Fort Mandan and Astoria, which gave Oregon to the United States, under which Tennessee, Ohio, Louisiana and Indiana were admitted to the Union of States. With the admission of Mississippi the flag took thirteen stripes and twenty stars under the act of April 4, 1818, approved by President James Monroe, that required after the Fourth of July following, the flag of the United States should be thirteen horizontal stripes, alternate red and white, and that the union should comprise twenty stars, white on a blue field.

Also, (Section 2) it was further enacted that on the admission of every new state into the Union, one star be added to the union of the flag, and that such addition should take effect on the Fourth of July next succeeding such admission.

The first flag of this description was hoisted on the flagstaff of the old house of representatives at Washington on April 13, 1818, and up to the present time this regulation has been observed upon the admission of each new state to the Union, except in respect to the United States revenue flag, the stripes on which number sixteen, running vertically, but in 100 years of vicissitude more or less aggrandizing, the banner seems to have become in a measure self-adjustable, for in 1912, by measurements in the process of preparing the pattern it was found that while the proportionate size of the blue field to the rest of the flag had not been increased, the proportion of blue in the national emblem had grown in a marked degree, while the stars had diminished in size.

THE COAST GUARD FLAG

The Coast Guard was created by act of Congress January 28, 1915, and takes the place of the Revenue Cutter Service, established in 1790, and the Life Saving Service which dates back to 1848, and constitutes a part of the military forces of the United States.

The distinctive flag flown from the foremast on all coast-guard cutters causes many inquiries as to its origin, and the following extracts from the annual report of the United States Coast Guard for 1915 will therefore be of interest:

"Nine years after the establishment of the Revenue Cutter Service, the forebear of the existing Coast Guard, Congress, in the act of March 2, 1799, provided that:

"'The cutters and boats employed in the service of the revenue shall be distinguished from other vessels by an ensign and pennant, with such marks thereon as shall be prescribed by the President. If any vessel or boat, not employed in the service of the revenue, shall, within the jurisdiction of the United States, carry or hoist any pennant or ensign prescribed for vessels in such service, the master of the vessel so offending shall be liable to a penalty of $100.'

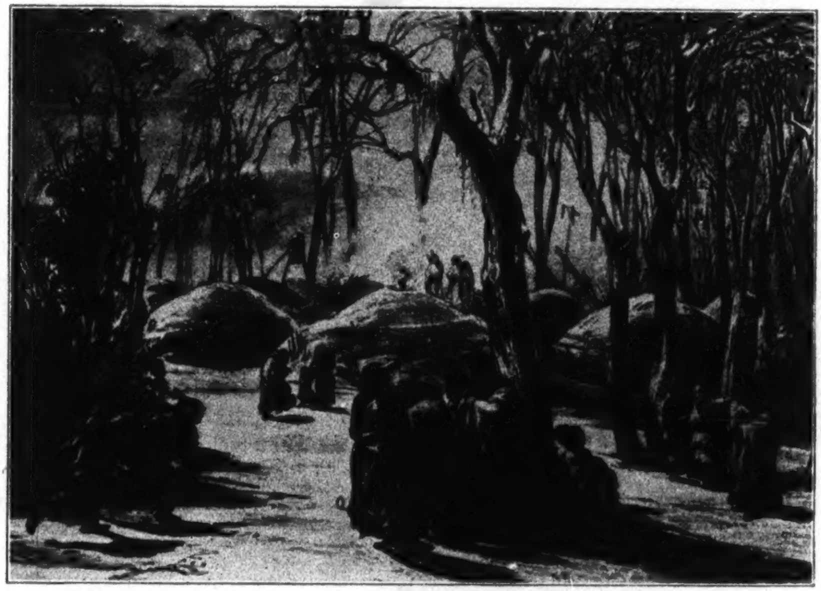
"Under date of August 1, 1799, the secretary of the treasury, Oliver Wolcott, issued an order announcing that in pursuance of authority from the President the distinguishing ensign and pennant should consist of 'sixteen perpendicular stripes, alternate red and white, the Union of the ensign to be the arms of the United States in dark blue on a white field.'"

This picturesque flag, with its vertical stripes, now so familiar in American waters, was arranged with historical detail, inasmuch as in the union of the flag there are thirteen stars, thirteen leaves to the olive branch, thirteen arrows, and thirteen bars to the shield, all corresponding to the original number of states constituting the Union at the time of the founding of the Republic. The sixteen vertical stripes in the body of the flag are symbolical of the number of states composing the Union when this flag was officially adopted. Originally intended to be flown only on revenue cutters and boats connected with the customs service, in the passage of time there grew up a practice of flying this distinctive flag from certain custom-houses, and finally, by direction of the Secretary of the Treasury, in 1874, it was flown from all custom-houses. From then until 1910 it was displayed indiscriminately on custom-houses, customs boats, and revenue cutters.

In order, therefore, that this distinctive ensign, the sign of authority of a cutter, should be used for no other purpose as originally contemplated, President Taft issued the following Executive Order on June 7, 1910:

A MANDAN VILLAGE

From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.



WINTER VILLAGE OF THE MINETAREES

From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

"By virtue of the authority vested in me under the provisions of section 2764 of the revised statutes, I hereby prescribe that the distinguishing flag now used by vessels of the Revenue-Cutter Service be marked by the distinctive emblem of that service, in blue and white, placed on a line with the lower edge of the union, and over the center of the seventh vertical red stripe from the mast of said flag, the emblem to cover a horizontal space of three stripes. This change to be made as soon as practicable."

"Upon the establishment of the coast guard, which absorbed the duties of the Revenue-Cutter Service, the ensign described above became the distinctive flag of coast-guard cutters, which if flown from any other vessel or boat within the jurisdiction of the United States will subject the offender to the penalty of the law."

THE WINTER OF 1804-'05

The winter of 1804-'05, was a cold one. The mercury sometimes dropped as low as 47 degrees below zero, and yet there was much of interest occurring during that winter. The Indians were frequent visitors. bringing their corn and game in exchange for the work of the blacksmith. Arrow points, made from iron hoops, and battle axes from a cast-off sheet-iron stove, were of particular value to them. While the Indians were jealous of the reputation of their wives and daughters, and resented any advances made by their brother Indians, they were not averse to attentions from their white visitors, and were solicitous to a degree for York, who was preferred to any one of the party.

The soldiers visited the lodges, sometimes dancing for the amusement of the Indians. York generally accompanied them and was the star attraction at all times, entertaining them with his stories. He assured them that he was a wild man until caught and tamed by Captain Clark, and told them other stories of like character.

The Indians made it a rule to offer food to the white men on their first entrance to their homes, indeed there was nothing too good to place before them and urge upon them, and the union of the whites with the natives, may account for the light hair and blue eyes found among the Mandans.

The women were noted for their industry and for their obedience to their husbands' commands. When their husbands desired to make a present to the little garrison of meat or corn, they brought it "on the backs of their squaws," whose services they were ready to lend for any other purpose for a slight consideration, or as an act of friendship.

Many little incidents occurred during the winter to endear the whites to the Indians of these villages, but nothing more than the fact that when the Sioux made a raid and killed some of their hunters, Captain Clark turned out nearly his entire force, armed and equipped, and offered to lead the Indians against the Sioux.

THE BEAUTIFUL AURORA BOREALIS

The extreme cold did not interfere seriously with the Indian sports, and Captain Lewis speaks of the beautiful northern lights, still characteristic of North Dakota. He writes:

"Along the northern sky was a large space occupied by a pale but brilliant color, which, rising from the horizon, extended itself to nearly 20 degrees above it. After glistening for some time, its colors would be overcast and almost obscured, but again would burst out with renewed beauty. The uniform color was pale light, but its shapes were various and fantastic. At times the sky was lined with light-colored streaks, rising perpendicularly from the horizon and gradually expanding into a body of light in which we could trace the floating columns, sometimes advancing, sometimes retreating, and shaping into infinite forms the space in which they moved."

Much of the winter was spent in gaining information from the Indians in relation to the country, and as to the number, habits, customs and traditions of the several tribes.

Rene Jessaume had resided at the villages about fifteen years. He was entirely familiar with the language and habits of the Indians, and was accordingly employed as a Mandan interpreter, and immediately took up his residence at the camp of the explorers. In the course of the winter Toussaint Charbonneau was employed as an Hidatsa interpreter, and he and his good wife Sakakawea, the "Bird-Woman," who became the Shoshone interpreter after reaching the plains of Montana, also took up their residence at the fort. Joseph Gravelines was the Arikara interpreter, and John B. LePage, who was also employed at the Mandan villages, the Cheyenne interpreter.

VISITING TRADERS

Hugh McCracken, an independent trader, associated usually with the North-West Company, was at the Mandan villages at the time of the arrival of Lewis and Clark, for the purpose of trading for buffalo robes and horses. The explorers took advantage of his presence to send special copies of their passports to Mr. Charles Chaboillez and asked the friendly offices of the North-West Company on their trip to the Pacific Coast. In due time they received a reply, with the assurance that the North-West Company would afford them every assistance within their power.

They were also visited during the winter by Charles McKenzie and Francois A. Larocque of the North-West Company, and later, by Hugh Heney, of the Hudson's Bay Company. Some of these parties visited Fort Mandan several times during the winter, and were allowed to trade at the villages without any interference.

When the river was breaking up in the spring, the Indians fired the prairie, and drove the buffalo on to the ice and killed many of them on cakes of ice and towed them ashore. A large number were drowned, and many of these were taken by the Indians and used for meat.

During the winter a large number of specimens were gathered or prepared by the party, and shipped to President Jefferson by the barge which left the villages the same day that Lewis and Clark left for the Pacific Coast.

The river broke up on the 25th of March, 1805, and April 1st, the boats were again placed in the water. Captain Lewis notes that the first rain since October 15th, fell on that day. They had spent a winter of bright sunshine, and such winters often occur now as well as 100 years ago.

One day they were out on the river bottoms, in February, and killed 3,000 pounds of game, among the lot thirty-six deer. Deer are still found on the river bottoms. The buffalo are gone, but myriads of ducks and geese still come and go.

At the time of their departure for the Pacific Coast, Corporal Richard Warfington, whose term had expired, but who was held in the service for the purpose, left in the barge for St. Louis, with Joseph Gravelines, pilot, and six soldiers. They carried the specimens intended for the president, and were accompanied by an Arikara chief, who went to Washington in charge of Mr. Gravelines. The chief died in Washington, but Gravelines returned to the tribe in 1806, with the presents received by the chief, and a message from the President to the tribe.

On the 7th of April, 1805, the party then consisting of thirty-two persons, pulled out of Fort Mandan for the Pacific coast via the headwaters of the Missouri. The names of the party were as follows:

ROSTER OF THE COMPANY

Commissioned officers: Captains, William Clark, Meriwether Lewis. Non-commissioned officers: Sergeants, Patrick Gass, John Ordway, Nathaniel B. Prior and Corporal Richard Warfington, detailed for Washington; privates, William Bratton, John Colter, John Collins, Peter Cruzette, Joseph Fields, Reuben Fields, Robert Frazier, George Gibbon, Silas Goodrich, Hugh Hull, Thomas P. Howard, Francis Labiche, Baptiste LePage, Hugh McNeill, John Potts, George Shannon, John Shields, John B. Thompson, William Werner, Joseph Whitehouse, Alexander Willard, Richard Windsor, Peter Wiser, York.

The interpreters were George Drewyer and Toussaint Charbonneau, a French-Canadian voyageur, the latter accompanied by his wife Sakakawea, and a child born February 11, 1805, in the camp of the explorers at the Mandan villages. Drewyer was a half-blood Indian, and was the hunter of the expedition. He was afterward associated with Manuel Lisa in the fur trade as George Drouillard. They used six canoes and two pirogues (a boat made out of a long soft wood log) for their trip above the Mandan villages. One of the canoes was sunk the next day.

THE RETURN

The expedition returned from the Pacific Coast to the Mandan villages, September 17, 1806. Fort Mandan had been destroyed by an accidental fire, but they were most cordially received by the Indians. They gave Le Borgne full recognition on his reporting that he had not received the presents sent him by Cherry on the Bush, and presented him with a new lot befitting his station. They, also, gave him the swivel gun which had been used to salute or "talk," as they called it, to all the tribes with whom they had dealings on their trip. This gift was received by Le Borgne with great satisfaction, and carried to his headquarters with much ceremony.

Independent British traders established a post at the mouth of the James River in 1804, after the expedition had passed that point and when Lewis and Clark returned in 1806, it was in charge of James Aird, representing Robert

Dickson, then operating on the headwaters of the Mississippi and on the Minnesota rivers.

Hastening to St. Louis the explorers gave by their arrival the first information relative to them which had been received in the states since they left the Mandan villages in April, 1805.

Charbonneau not wishing to return to the states, remained at the Indian villages. Rene Jessaume was employed as an interpreter, and accompanied the Mandan Chief Shahaka to Washington with Captains Lewis and Clark.

It was the middle of February, 1807, before they reached the national capital and on March 3, 1807, Captain Lewis was appointed governor of Louisiana Territory. He died October 11, 1809, at the age of thirty-four years, while in that position. His death was attributed to suicide, but there is reason to believe that he was murdered and robbed at the inn where he was stopping on his way to Washington in connection with the adjustment of his accounts. The owner of the inn where he died was tried for his murder but the evidence was not sufficient to convict. The body of Governor Lewis, when found, had but 25 cents in money on it, and the inn keeper after his acquittal, displayed considerable money which he had suddenly acquired. It is not probable that Governor Lewis would have taken an official trip without money for the payment of his bills. His body was buried within the limits of the State of Tennessee near the spot where he was shot, and a monument was erected by the state to commemorate his life and work.

March 12, 1807, Captain Clark was appointed by President Jefferson brigadier-general of the militia of the Territory of Louisiana, and agent of the United States for Indian affairs in that department.

He was reappointed by President James Madison, February 11, 1811. Louisiana having been admitted as a state April 30, 1812, and the Territory of Missouri having been created, he was appointed governor of that territory by President Madison, July 1, 1813. He was reappointed by President James Monroe, January 21, 1817. On the admission of Missouri as a state, January 24, 1820, he became a candidate for governor but was defeated by Alexander McNair.

In May, 1822, President Monroe appointed him U. S. Superintendent of Indian Affairs, and in October, 1824, he was appointed surveyor general of the states of Illinois and Missouri. In 1825, he negotiated several treaties with the Indians, and had an advisory influence on the treaties made that year with his old friends, the Mandans, Gros Ventres (Hidatsas) and the Arikaras by Gen. Henry Atkinson and Maj. Benjamin O'Fallon, U. S. Indian agent. General Clark died September 1, 1838, in his sixty-ninth year.

TOUSSAINT CHARBONNEAU AND THE BIRD-WOMAN

"And the pleasant water-courses,
You could trace them through the valley,
By the rushes in the spring-time,
By the alders in the summer,
By the white fog in the autumn,
By the black line in the winter,
And beside them dwelt the singer."

—*Henry W. Longfellow.*

Toussaint Charbonneau's Indian wife sang merrily as a bird, and was known as the "Bird-Woman." By birth a Shoshone of Wyoming, and daughter of a chief, she was captured at eleven years of age from the Snake Tribe of Shoshones by the Missouri River Indians, in one of their battles with her tribe, and had been sold to Charbonneau, who lived with the Gros Ventres at the Mandan villages. She was reared by the Gros Ventres, wearing their costume, and it was they who named her "Tsa-ka-ka-wea-sh," which in the Indian language means, according to Prof. Orin Grant Libby, of the North Dakota Historical Society, Bird-Woman. As written in Gros Ventres, "Tsa-ka-wa" signifies bird, "wea," woman; "sh," the. It was said she was uncommonly comely.

Before being taken from her native tribe, she had traveled over much of the country, east and west of the Rocky Mountains, and thus was able to furnish valuable information relative thereto. Because of her belief in, and devotion to her husband, she had confidence in the white men who were making their way to the land of her birth, and with much earnestness urged that her presence in the camp with her child, would be a means of protection to them, and her ability to talk with the mountain Indians a real help.

So far as known, she was the first Indian convert to the Christian religion, west of the Missouri River, and the first pioneer mother to cross the Rocky Mountains and carry her babe into the Oregon country. While she crooned to her chubby brown baby during the long winter, a new light would come to her eyes at the thought of her far away home.

On the way she made and mended the moccasins of the explorers, taught them the mountain Indian methods of hunting bear, told them how to make carriages for transporting the boats around Great Falls, Mont., showed them how to find artichokes stored by the gophers, and warned them against the waters they must not drink. She found eggs of the wild fowl and berries, and made ointment to cure sores and insect bites, and when her husband no longer knew the country, she became the guide. She was the only woman to accompany the expedition, and was guide, interpreter and protector. She protected the party when they were threatened by hostile Indians, secured for them food and horses, saved their journals and valuable papers at the risk of her life, when their boat capsized, and was the only one of the party who received no pecuniary reward for her services.

Captain Clark thus describes her characteristics:

"She was very observant. She had a good memory, remembering localities not seen since her childhood. In trouble she was full of resource, plucky and determined. With her helpless infant she rode with the men, guiding us unerringly through mountain fastnesses and lonely passes. Intelligent, cheerful, resourceful, tireless, faithful, she inspired us all."

Thus it is always with the good woman, encouraging man to dare and to do. At his side at birth, in sickness and in death, helping and encouraging in hours of distress and peril—"first at the cross and last at the tomb."

The influence of the Bird-Woman on her tribe gave a wonderful impetus to the uplifting of the Shoshones, from the day she greeted her brother, Camehawait, a chief at the head of the Snake Indians, who visited the camp of Lewis and Clark on the plains of Montana. Sakakawea was the true guide who remained with them to the end.

She had recognized the Indians as they approached, as being of her tribe; among them an Indian woman who had been taken prisoner at the same battle in which she had been captured, but escaped. Her brother did not become known to her until she began to interpret. Then her joy knew no bounds. Though much agitated, the Bird-Woman concluded her work of interpreting the council between her brother and Lewis and Clark, and then learned, that of her family only two brothers and her sister's child survived; the others having been killed in war or had died from other causes. She then and there adopted her sister's orphan child (Bazil) and took him with her to the Pacific Coast.

Returning with Lewis and Clark to the Mandan villages, she remained in that country until after the smallpox scourge of 1837. Subsequently she returned to her own tribe, then located in the Wind River country, and there lived until her death, the night of April 8-9, 1884, at the Shoshone Mission, Wind River, Wyo., in the home of her adopted son, Bazil. She was then upwards of one hundred years old, blind and deaf. The obsequies were conducted by the Rev. John Roberts, D. D., who had known her many years, and who kindly furnished for this history the facts here stated in relation to her death. They are corroborated by A. D. Lane of Lander, Wyo., who was at her house a few hours after her demise, also by Harry Brownson, an old-time resident of Bismarck, afterward an employee of the traders' store at Shoshone agency, and others personally known to the author, who knew her, and that her name, as known to the Shoshones, was "Sacajawea," meaning "to launch or push off the boat."

Her husband, Toussaint Charbonneau, was the interpreter at the time of the treaty of Gen. Henry Atkinson with the Mandans and Gros Ventres at the Mandan villages on the Missouri in 1825. He spent the winter with Maximilian at Fort Clark, 1833-34, was with him at the battle of Fort McKenzie, and, in 1838, was met by Charles Larpenteur when he went down the river to go east on a visit. Several of the Bird-Woman's descendants are now living on the Shoshone reservation, and a photograph of her great-granddaughter in Indian costume, taken specially for it, forms one of the illustrations of this history.

Her son, Baptiste, the baby, born in North Dakota, who was carried by his mother across the continent and return, was educated by Gen. William Clark at St. Louis, where young Baptiste Charbonneau was located as late as 1820. He was an interpreter and guide with Capt. Benjamin L. E. Bonneville in 1832-35, is mentioned in the journals of Lieut. John Charles Fremont at Fort Bridger in 1842, and that year was with Sir William Drummond Stewart on a buffalo hunt in Wyoming.

Her adopted son, known as "Old Bazil," was prominent in tribal affairs on the Shoshone reservation.

Chief Washakie, of Wyoming, who recently "passed to the other shore" at the age of about one hundred years, knew Sacajawea, and held her in tender esteem.

There is a monument to her memory near Fort Washakie, at the Shoshone Mission, Wind River, Wyo., now United States Indian cemetery, erected by the State of Wyoming.

Her statue in the park at Portland, Ore., erected through the efforts of Mrs. Eva Emery Dye and others, at the time of the Portland International Exposition, a fine production worthy of the object, to perpetuate her memory, is, also,

SAKAKAWEA
The Shoshone Indian Bird-Woman
Who in 1805 guided the
Lewis and Clark Expedition
from the
Missouri River to the Yellowstone.
Erected by the
Federated Club Women and School Children of
North Dakota.
Presented to the State, October, 1910
(Statue at Bismarck)

in the name of "Sacajawea" the spelling adopted by the Wyoming State Historical Society.

In February, 1906, a movement was inaugurated by Mrs. Beulah M. Amidon, of Fargo, N. D., to raise funds for a monument to the Bird-Woman to be erected at the state capital. The bronze statue at Bismarck, designed by Crunelle, is of heroic size, twelve feet in height, representing an Indian woman wrapped in a blanket, with a pappoose strapped upon her back.

The Legislature of North Dakota assumed the expense of the granite pedestal, but the statue was paid for by a fund contributed by the Federation of Women's Clubs and the school children of the state.

On the bronze tablet are the words:

Sakakawea
The Shoshone Indian Bird-Woman
Who in 1805 guided the
Lewis and Clark expedition
from the
Missouri River to the Yellowstone.
Erected by the
Federated Club women and school children of
North Dakota
Presented to the state, October, 1910.

The artist sketched the figure and costume at the Indian reservation at Elbow Woods, N. D., and won the approbation of Spotted Weasel and James Holding Eagle, who inspected and criticised it in its early stages.

It stands on the east side of the capitol grounds on a large block of rough granite, facing the west, the baby looking over her right shoulder. One foot is in advance of the other as if she were walking. The dedication took place October 13, 1910, the ceremony of unveiling being performed by Miss Beulah Amidon, of Fargo, N. D. The invocation was by Bishop Vincent Wehrle of the Bismarck diocese of the Roman Catholic Church, and was followed by an address by Mrs. Hattie M. Davis, superintendent of schools of Cass County, who originated the idea of having the members of the women's clubs and the children of the state raise the money to pay for the statue. The presentation speech was made by Mrs. N. C. Young, president of the State Federation of Women's Clubs, Judge Burleigh F. Spalding of the Supreme Court accepting on behalf of the state. Frank L. McVey, president of the state university, made the principal address.

It was fitting that this remarkable woman, distinguished alike for intelligence, bravery and capability (and her child) should be honored by the women and children of North Dakota, and it matters little whether the name meaning "Bird-Woman" in Gros Ventre or "The launch of the boat" in Shoshone is accepted; that she was one and the same there can be no doubt.

THE MISSOURI FUR COMPANY

Although borne on the rolls of the regular army until February 27, 1807, Captain Clark tendered his resignation immediately after his return from the Pacific coast, and became interested in the organization of a company which was incorporated as the St. Louis Fur Company, and after many vicissitudes finally reorganized as the Missouri Fur Company, the members of the original organization being Benjamin Wilkinson, Pierre Choteau, Sr., Manuel Lisa, Auguste Choteau, Jr., Reuben Lewis, William Clark, Sylvester Labadie, Pierre Menard, William Morrison, Andrew Henry and Dennis Fitzhugh. William Clark, then known as Gen. William Clark, was agent of the company at St. Louis.

THE RETURN OF THE MANDAN CHIEF

In 1807, with Pierre Choteau in command of a trading party numbering seventy-two men, an attempt was made to return the Mandan Chief Shahaka, who had accompanied Lewis and Clark on their return to Washington, together with his wife and child, and the wife and child of his interpreter Rene Jessaume. Lewis and Clark had agreed on behalf of the United States to guarantee the safe return of the party to the Mandan villages.

The chief was under the escort of Ensign Nathaniel Prior, who had been a sergeant with the Lewis and Clark Expedition.

When they reached the Arikara villages they were attacked by these Indians on account of the Mandan chief, but Choteau had anticipated treachery, and was prepared for it. After an hour's fighting he was able to withdraw with a loss of three killed and seven wounded, one mortally. Three of Prior's party were wounded, including the interpreter of the chief. The Indians followed the party, and continued the attack from along shore as they proceeded down the river, until the Choteau party singled out a chief whom they recognized and shot him, when the Indians retired.

The Indians had met with heavy loss, but to what extent was never known. Shahaka having returned in safety to St. Louis, awaited an escort, and the first contract made by the reorganized St. Louis Fur Company, thereafter to be known as the Missouri Fur Company, was for the return of the Mandan chief to his tribe. In the contract the Missouri Fur Company agreed to engage 125 men, of whom 40 must be Americans and expert riflemen, for the purpose of escort. They were to receive $7,000 for the Indian's safe return. The party consisting of 150 men left St. Louis in the spring of 1809, Pierre Choteau in command, arriving at the Mandan villages September 24, 1809, the chief laden with presents. He had been entertained by President Jefferson at his country seat of Monticello and had been honored and feted from the time he reached St. Louis until his return, but his account of his experiences not being believed, he fell into disrepute, and was finally killed by the Sioux in one of the attacks by that tribe on the Mandan villages.

In 1807 Manuel Lisa, the first and most noted upper Missouri River Indian trader, passed through the Arikara villages, where he had a trading post, visiting them, in detail, with entire safety, immediately preceding the attack of that year upon Pierre Choteau's party.

(The several maps illustrating the early explorations, the Louisiana Purchase, and the extension of boundaries of the United States, were prepared for the General Land Office, Washington, D. C., and are used by courtesy of that office.)

VIRGINIA GRANT

Granddaughter of Sakakawea. Photo by A. P. Porter of Lander, Wyoming, for the Early History of North Dakota.

SIOUX WOMEN DANCING—FASHIONS OF 1912
(Mandan Fair, 1912)

CHAPTER VI

"WHEN WILD IN WOODS THE NOBLE SAVAGE RAN"

THE EXPEDITION OF LIEUT. Z. M. PIKE—TREATY WITH THE SIOUX—ON THE UPPER MISSISSIPPI—THE CHIPPEWAS SMOKE THE PIPE OF WABASHA—SUBSTITUTING THE AMERICAN FOR BRITISH FLAGS AND MEDALS—GAME—THE WINTER CANTONMENT—HOSPITALITY OF THE TRADERS—ALEXANDER HENRY'S VISIT TO THE MANDAN VILLAGES—IDEAL INDIAN HOMES—SOCIAL LIFE AMONG THE INDIANS.

> **"I am as free as nature first made man,**
> **Ere the base laws of servitude began,**
> **When wild in woods the noble savage ran."**
> ***—Dryden's Conquest of Granada.***

CONDITIONS ON THE FRONTIER IN 1805

In 1805 Spain still held dominion over the country west of the Missouri River, although she had already ceded her possessions to France, and from France they had passed to the United States, which had entered upon the exploration of the country. Captains Meriwether Lewis and William Clark had spent a winter in what is now North Dakota, at Fort Mandan. They had traced the Missouri to its source, locating the Cannonball, Heart, Knife, White Earth and Yellowstone rivers, and had given the world the first reliable information relative to the plains of Dakota, then popularly supposed to be in the heart of the great American desert. They reported a land abounding in game of all kinds, peopled by a brave and intelligent native population.

Pembina was already on the maps of the period, together with the Pembina, Park, Turtle, Goose, Sheyenne and James rivers, Devils Lake and Lake Traverse. The Minnesota River was then known as St. Peter's and at its mouth was located Fort St. Anthony. There was no St. Paul and Minneapolis in Minnesota, and in California no San Francisco. Chicago in Illinois, and St. Louis, then in Louisiana Territory, were frontier villages of little importance. There was no occupation of the great West for development, save the lead mines near Dubuque, no wagon roads, aside from trails, and no means of communication, excepting by canoe and pony. There had been some early exploration by the French and by the Spanish, but until the expedition of Lewis and Clark, but little was known of this vast country, towards which the center of population of the United States is rapidly shifting.

PIKE'S EXPEDITION

The object of Pike's expedition was to select sites for military posts on the Mississippi River; to survey its waters to the source of that stream; to acquaint the traders with the change of ownership of the country and investigate their alleged unlawful conduct in the sale of goods without the payment of duties imposed, and to endeavor to bring about peace between the Sioux and the Chippewas and enlist their friendship on behalf of the United States. The roster of Lieutenant Pike's party was as follows:

First Lieutenant Zebulon M. Pike, First Regiment U. S. Infantry, commanding; Sergeant Henry Kennerman; Corporals Samuel Bradley and William E. Meek; Privates John Boley, Peter Branden, John Brown, Jacob Carter, Thomas Daugherty, William Gordon, Solomon Huddleston, Jeremiah Jackson, Hugh Menaugh, Theodore Miller, John Montgomery, David Owings, Alexander Ray, Patrick Smith, John Sparks, Freegift Stoule and David Whelpley, in all one officer, one sergeant, two corporals and seventeen men. His interpreters were Joseph Renville and Pierre Rosseau.

They left camp, near St. Louis, August 5, 1805; their means of transportation being one keel-boat seventy feet long. On their arrival at Prairie du Chien September 4th, where they spent several days, they were saluted by the Indians with a volley of musketry, and it is claimed that some of the Indians who were under the influence of liquor, tried to see how close they could shoot without hitting the boat. Lieutenant Pike informed them of the object of his expedition, especially as to the matter of peace with the Chippewas.

On September 23, 1805, he negotiated a treaty with the Sioux—represented by Little Crow (grandfather of Little Crow, leader in the Minnesota massacre in 1862), and Way Ago Enogee—for a tract of land nine miles square at the mouth of the River St. Croix, also a tract of land extending from below the confluence of the Mississippi and St. Peter's rivers up the Mississippi to include the Falls of St. Anthony, embracing nine miles on each side of the river, for the sum of $2,000. Congress confirmed this treaty April 16, 1808, but there is no record that it was proclaimed by the President. It is scarcely necessary to add that it embraced the land on which Fort Snelling and the cities of St. Paul and Minneapolis now stand.

When Lieutenant Pike arrived at the headwaters of the Mississippi, he was treated with great cordiality and courtesy by the traders and their employees. Coming one night to a sugar camp he was given his choice of beaver, swan, elk or deer for supper, and though sugar and flour were worth 50 cents per pound, and salt $1, there was no stint in the supply.

Among the traders he met were Joseph Rolette and associates at Prairie du Chien, Murdoch Cameron at Lake Pepin, Jean Baptiste Faribault and Joseph Renville on the Minnesota, Robert Dickson on the Mississippi and Cuthbert Grant and Hugh McGillis in the Red Lake country.

The traders were naturally pro-British and were controlled by British influences. Cuthbert Grant was still flying the British flag, but explained to Lieutenant Pike that it was owned by an Indian and he was not responsible for it.

Flatmouth, one of the Red Lake band, and Tahmahah, a Sioux, became great friends of Lieutenant Pike. Flatmouth rendered him great service, and Tahmahah adopted him as a brother, and entered the service of the United States as a dispatch bearer, and it was his proud boast that he was the only Sioux who was an American.

Joseph Rolette guided the British forces at the time of their capture of Prairie du Chien. Tahmahah was a prisoner of war there. When the British evacuated the fort they hoisted an American flag and fired the fort. Tahmahah, at the risk of his life, saved the flag and was awarded a medal of honor.

Zachary Taylor, then major Twenty-sixth Infantry, U. S. A., afterwards President of the United States, was defeated by the Indians in his efforts to punish them for the Prairie du Chien affair. He was subsequently stationed at Fort Snelling.

ON THE UPPER MISSISSIPPI

On the way up the Mississippi River Lieutenant Pike found much game. There were many herds of deer and antelope and elk were so numerous that Chief Thomas killed forty in one day. They occasionally killed a bear, beaver were abundant and the buffalo plentiful later in the season.

At the mouth of the Crow Wing River they found evidence of a recent and severe battle between the Sioux and Chippewas, in which the latter were victorious.

October 16, 1805, Lieutenant Pike went into winter quarters, erecting a stockade at the mouth of Swan River, about four miles from the present Village of Little Falls, Minn. The structure was thirty-six feet square, with blockhouses on the northwest and southeast corners.

Here Lieutenant Pike left a sergeant and part of his command, and pushed on for the headwaters of the Mississippi with the remainder, extending his explorations as far as Cass Lake. January 8, 1806, Lieutenant Pike visited the trading post of Cuthbert Grant at Sandy Lake, where there was a large stockade built in 1796, by the North-West Company.

Lieutenant Pike found that the Indians of this region had great respect for the Americans. They did not consider them like either Frenchmen or Englishmen, but as white Indians, and understood that they were fierce in battle and ready at all times to defend their rights. The explorer came upon one party of Indians who were insolent and threatening in their attitude until informed that they were Americans, when their manner immediately changed, and they extended to them every possible courtesy.

The prices at Grant's post for some of the staple articles were as follows: Wild oats, $1.50 per bushel; flour, 50 cents per pound; salt, $1 per pound; pork, 80 cents per pound; sugar, 50 cents per pound; tea, $4 per pound.

Lieutenant Pike visited Hugh McGillis, who had a trading post at Leech Lake, and the next day Mr. Anderson, at the trading house of Robert Dickson, on the west side of the lake.

To these visits Alexander Henry has alluded in his notes of the same date. Robert Dickson cast his fortunes with the British during the war of 1812, but after the war, returned to Lake Traverse, N. D., where he was the agent for Lord Selkirk. He had a Sioux wife and four sons

February 12th Lieutenant Pike went on to Cass Lake, and on the 18th left Leech Lake for the stockade. On the 15th the Chippewas were in council with Lieutenant Pike on the subject of peace with the Sioux. Wabasha was a leading representative of the Sioux, and having agreed with Lieutenant Pike to make terms of peace with the Chippewas, sent his pipe by the hand of Lieutenant Pike to be used as his representative in the peace negotiations. The British traders had given the Indian chiefs medals and British flags and many of the chiefs were indebted to them for their offices. Lieutenant Pike was instructed to take up these medals and flags wherever it was possible to do so, and substitute the American flag and medals, believing that the effect upon the Indians would be salutary. They all smoked Wabasha's pipe and most of the chiefs gave up their British flags and medals and received American flags and medals in return.

Lieutenant Pike returned to the stockade March 5th, and on April 7th left for St. Anthony Falls, where they arrived April 11th. He claimed that his boats were the first to pass up the Mississippi above the Falls of St. Anthony. Having been promoted brigadier-general he was present at the battle of York, in upper Canada, April 27, 1813, and was killed by an explosion of the magazine at the fort after its surrender.

FORT ST. ANTHONY

The fort built at the mouth of the Minnesota River was at first called Fort St. Anthony, but in 1824, when Col. Winfield Scott visited the post he suggested that St. Anthony, the name of a saint of the Prince of Peace, was not a good name for the fort; that the name was foreign to all of our associations, besides being geographically incorrect. The name was accordingly changed to Fort Snelling and the fort became the nucleus around which the first settlements were made in the great Northwest, and from which they were extended to the Dakotas and still westward.

THE MANDANS

The Mandans are first mentioned in history by Sieur de la Verendrye, who visited them in 1738. In 1750 they were living in nine villages, near the mouth of the Heart River. Two of these on the east side of the river, almost exterminated by disease and by war with the Sioux, consolidated, and moved up to near the mouth of Knife River, where they were later joned by the other villages. Here they were found by Lewis and Clark. They were then estimated at 1,250, and in 1837 their number was placed at 1,600. In that year they were stricken with smallpox, but thirty lodges, or about one hundred and twenty-five people, only remaining, and forsaking their villages after the scourge, they finally settled down at Fort Berthold in 1845. Their number in 1905 was 249.

A VISIT TO THE MANDAN VILLAGES

July 7, 1806, Alexander Henry left Pembina for the Mandan villages, accompanied by Joseph Ducharme and Toussaint Vaudry, interpreter. The roads were heavy from recent rains and the horses often sunk to above their knees in mud

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FORT CLARK, ON THE MISSOURI, FEBRUARY, 1834
From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

FORT UNION, ON THE MISSOURI
From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

and water. At night the mosquitoes were intolerable, the horses breaking away from their fetters on several occasions. July 11th they reached old Fort de Tremble, on the Assiniboine River, where in 1781 the Crees and Assiniboines and other Indians of that region undertook to inaugurate a massacre of the whites then in the Indian country. Three men were killed at the fort. The Indian loss was fifteen killed, and fifteen more died of wounds. The fort was then abandoned. July 11th Henry reached a North-West trading post on the Mouse River (at Brandon). The Hudson's Bay and X. Y. companies also had trading posts there at that time. F. A. Larocque was in charge of the North-West Company post. Charles Chaboillez, Jr., Allen McDonald and Hugh McCracken were also there, and they accompanied Mr. Henry to the Mandan villages.

After crossing the Mouse River they kept a lookout for the Sioux. Mr. Henry writes: "We must be on our guard against the Sioux, the natural enemies of all tribes in these parts. They perpetually wander about in search of straggling Mandans or Gros Ventres (Hidatsas) and sometimes cross the River la Souris in hope of falling in with Assiniboines and Crees, who frequently hunt along this river."

July 19th they reached the Mandan villages. The women were hoeing corn some distance from their village with well armed Indians on the lookout for fear of the Sioux.

Mr. Henry speaks of the large quantity of corn, beans, squashes, tobacco and sunflowers raised by these Indians, and of their manner of caching (secreting) their produce where it would not be likely to be disturbed by their enemies in case of an attack.

Mr. Henry's party met Jean Baptiste Lafrance with a small stock of goods, which he brought from the Brandon House for the purpose of trade at the Mandan villages. As soon as Black Cat, their Indian host, learned who Mr. Henry was, he produced the flag given him by Lewis and Clark, October 29, 1804, and kept that flying as long as they remained.

Mr. Henry relates that he saw the remains of an excellent large corn mill which Lewis and Clark had given the Indians. They had broken it and used the iron to barb their arrows; the largest piece, which they could not work into any weapon, was used to break marrow bones of the animals killed in hunting.

Henry's party crossed the Missouri in boats, made of willows and buffalo skins, called bull-boats.

Six Arikaras came into the village while Mr. Henry was there to treat for peace. Some of their people had accompanied a Sioux war party the fall before and killed five Mandans. The Mandans had made a return visit, killing two Arikaras and had sent them word that they intended to exterminate the whole tribe. These emissaries had accordingly come up to make peace. The Hidatsa were called into council, about thirty arriving on horse back at full speed. The Arikaras were directed to return at once to their village and tell their chief, Red Tail, that if he really desired peace he must come in person and then they would settle matters; and if he did not come they would find him as soon as their corn was gathered, and show him what the Hidatsa and Mandans could do when exasperated by Arikara treachery.

About 100 Mandans came in with their horses loaded with meat from a day's hunt for buffalo. It was the custom of the Mandans to hunt in large bodies and to completely surround one herd and kill all of the animals so as not to alarm the other herds.

When the hunting party returned they would divide with the neighbors, where there was no one to hunt for them, before resting themselves, and sometimes all was given away and others in turn divided with the generous givers.

THE MANDAN CIRCULAR HUTS

The circular hut where Henry lodged, measured ninety feet from the front door to the opposite side. The whole space was first dug out to a depth of about 1½ feet below the surface. In the center was a fire place, about five feet square, dug out about two feet below the surface. The lower part of the hut was constructed by erecting strong posts about six feet out of the ground, set at equal distances from each other. Upon these were laid logs as large as the posts to form the circle. On the outside were placed pieces of split wood, seven feet long, in a slanting position, one end resting on the ground and the other leaning against the cross logs. Upon these beams rested rafters the thickness of a man's leg, twelve to fifteen feet long, slanting enough to shed water, and laid so close that they touched each other. Four large posts in the center of the lodge supported four square beams on which the upper end of the rafters were laid. At the top there was an opening about four feet square which served for chimney and window. There was no other opening to admit light, and when it rained even this opening was closed. The whole roof was well thatched with willows, laid on to a thickness of six inches or more, fastened together in a very compact manner and well secured to the rafters. Over the whole was spread about a foot of earth. Around the wall to the height of three feet or more, earth was laid to the thickness of about three feet, for security in case of attack and for warmth in winter.

The door was 5 feet broad and 6 high, made of raw buffalo hides, stretched on a frame and suspended from one of the beams which formed the circle. Every night the door was barricaded with a long piece of timber supported by two stout posts on the inside of the hut, one on each side of the door. A covered porch, 7 feet wide and 10 feet long, extended from the door.

At the left of the entrance was a triangular apartment, fronting the fire, constructed of square timbers, twelve feet high, calked tight to keep out the draft from the door. On the right of the door was an open space to hold fire-wood in winter. Between the partitions and the fire was about five feet, occupied by the master of the hut during the day, seated on a mat of willows, 10 feet long and 4 feet broad, raised from the floor and covered with skins, forming a sofa or couch. Here he sat all day and sometimes through the night, smoking and talking with friends. At the left of this apartment were the beds, at the other end of the hut was the "medicine" stage, containing everything the Indian valued most. Here or on the wall near, he kept his arms and ammunition. Next to this was the mortar and pestle for grinding grain. The remainder of the space was vacant. This was a typical Mandan hut, seldom occupied by more than one family.

July 21st in visiting the upper village they passed extensive fields of corn, beans, squashes and sunflowers; the women and children were employed in hoeing

DOG SLEDGES OF THE MANDAN INDIANS

From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

INTERIOR OF THE HUT OF A MANDAN CHIEF

From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

and clearing their plantations. On the road there were natives passing and repassing, afoot or on horseback, the whole view presenting the appearance of a country inhabited by civilized people. At the fourth village the inhabitants followed them in crowds and made fun of them. Here they found Charles McKenzie, whom Lewis and Clark met at the Mandan villages, and James Caldwell, who had a temporary trading post there in the interest of the North-West Company. Le Borgne was the chief of this village. He was absent at the Cheyenne villages in connection with a proposed treaty of peace, and Henry and party accompanied the representatives of the Mandan village tribes to the place of meeting—a point west of Sugar Loaf Butte, southwest of Bismarck, on the west side of the Missouri. The meeting would have resulted in war had not the women and children accompanied the warriors from the Mandan villages. As a peace treaty it was a failure.

In preparing for the trip to the treaty grounds, which was to be somewhat in the nature of a fair, where every one showed his best products and his best clothes, Henry states he was surprised to see what a store of treasures the people of the Mandan villages had on hand; he was confident they had provisions enough cached to last them at least twelve months.

One of the pastimes of the Mandans was running long foot races in order to be prepared to take care of themselves if dismounted in battle. The race was at least six miles. They made it entirely naked, and, on their return, covered with perspiration and dust, they would plunge into the Missouri. They also indulged in horse racing, during which they would carry on their warlike maneuvers on horseback, feigning their different attacks upon the enemy, giving their strokes of the battle axe and thrusts of the spear.

Mr. Henry speaks of the custom of the Indians to bathe in the river morning and evening, without regard to sex, their neighbors or visiting strangers, and other customs no longer practiced among the tribes since the advent of religious instruction.

AN OLD BATTLEFIELD

Henry visited the battle ground where about 1790, some 600 lodges of the Sioux attacked and attempted to subdue the Hidatsas. They had made peace with the Souliers and Mandans and, therefore, pitched their tents between the Hidatsas and Knife River, thinking they would be able to cut off their water supply. Here they remained fifteen days, keeping guard, but the Hidatsas, mounting their best horses, would reach the Missouri in spite of the Sioux (though several were killed), and thus secured an abundance of water. The Sioux compelled the Mandans to supply them with food, during the siege which was raised after several skirmishes, leaving 300 dead on the field of battle.

Another account states that the Yanktons and Tetons were fiercely engaged with the Hidatsa and the battle was first going in favor of one and then the other, when reinforcements of Hidatsa arrived, accompanied by a large party of Crows. Observing with what fury the battle was raging at the front, they determined to surround the enemy by turning to the left, without being seen, as the country permitted this movement and they rode up a deep valley so far away as not to be in sight of the enemy. Keeping on the south side of these rising grounds, they went full speed into the valley which led down to the rear of the enemy. There they fell in with a great number of women who had accompanied their husbands in full expectation of destroying and plundering the Mandan villages. Many of these were killed and others taken prisoners. The party then appeared on rising ground in the rear of the Sioux and attacked with fury, dealing death and destruction on every hand. The Sioux, overpowered by numbers and exhausted by fatigue, were obliged to give way, but their retreat was cut off and they were so hard pressed that they were obliged to throw themselves into the Missouri and attempt to swim across. Many were killed in the river and but few survived to return to their country. The villages were surrounded by a stockade, mainly built of driftwood, at the time of Henry's visit.

July 28th, Henry left the Mandan villages, accompanied by Mr. Charles McKenzie and James Caldwell. The party consisted of ten men with twenty-five horses. July 30th, they found the plains in many places covered with water. August 3d, they passed the Dog Den, and the next day eight of their horses broke their tethers, being frightened by a herd of buffalo. The buffalo were so numerous that they had to build a barricade around the camp to prevent being run over. It was with the greatest difficulty that they were able to cross the Mouse River, the banks where they reached it being low and miry and the river overflowed. At the head of the Turtle Mountains they found several recent camps of the Assiniboines. The Mouse River region was said to be infested with horse thieves at this time, and that probably accounts for the fact that the lost horses, although hobbled, were not recovered.

The trip was for the purpose of purchasing horses and was a failure, and resulted in the North-West Company withdrawing from the Mandan trade.

THE ARIKARAS

In 1770, French traders established relations with the Arikaras (sometimes mentioned as Rees, Ricarees or Aricarees) then occupying their villages below the Cheyenne River, in what is now South Dakota. There were then ten powerful villages, but they were reduced by war and disease to three, when found by Lewis and Clark. Their number was then estimated at 600 warriors, or about 2,100 people. In 1888 they were reduced to 500, and the census of 1905 placed their number at 380.

THE HIDATSA

The Hidatsa or Gros Ventres, of the Missouri, or Minetarees, as they were called by Lewis and Clark, were first known to the whites when living in the vicinity of Knife River, in North Dakota. They occupied three villages near the Knife River, and when visited by Lewis and Clark, numbered 600 warriors, or about 2,100 people. They learned agriculture of the Mandans, and when the trading post was established at old Fort Berthold, they moved up to that point. Reduced by war and disease, the population in 1905 was only 471.

Since the removal of these allied tribes to Fort Berthold, they have been known as the Berthold Indians.

The census of 1910 shows a slight increase in the number of these Indians among whom are many noble specimens of humanity, who have the commendable pride in their ancestry common to all humanity.

IDEAL INDIAN HOMES

When first visited by the whites, these Indians were living in ideal Indian homes. Their circular earth-covered huts were comfortable in summer and sheltered the old and infirm in winter. Of food and the means of clothing there was an abundance. They were strong and fleet, and as the sun "arose from his bed in the dark"—to adopt an Indian figure of speech—it gave warmth and gladness, and when it "dropped below the light," they slept, with none excepting the Sioux to make them afraid. Their women laughed in their hearts, and the light sparkled in the eyes of their children, like the sunshine dancing on the waterfall. The Great Spirit made their hearts good, and there was no one to tell them lies, until the white man went among them, carrying the blighting curse which has always followed, and always will follow the introduction of intoxicating liquor as a beverage among an ignorant people.

The Mandans, Arikaras and Gros Ventres having spent the summer raising their crops of corn and vegetables, prepared secure places for caching their surplus, lest marauding Sioux might capture the camp during their absence. Only the old and infirm, and the young and helpless, were left at the summer home, the active force retiring to the Bad Lands for the winter.

This winter exodus usually occurred in October. The Indians having credit with the traders were trusted for the supplies of ammunition or other things necessary for their winter equipment, while some deposited their war bonnets of eagle feathers, or other valuables, as a pledge that they would pay when they returned from the chase. Many left valuables consisting of drums, rattles, lances, not required in the winter camp, in charge of the trader within his fort, feeling that they would be safe in case the ever-feared Sioux should make an attack upon their village during their absence.

During the winter absence the summer camp was in terror lest the Sioux attack them, and great anxiety prevailed in the winter camp, lest their loved and helpless be attacked while defenseless.

The independent traders usually made it a point to accompany the Indians to their winter camps, and gather the fruits of trade in the field, leaving the established traders to glean whatever might be left.

During the hours of preparation, the women would patiently await their turn to sharpen knives and axes on the grindstones furnished by the trader for that purpose, while the young men dressed in their finest trappings, and painted in the height of Indian fashion, would ride their gaily caparisoned horses pell-mell about the camp, or engage in horse racing or games. The old men organized, and the "Soldiers" took charge, and then the duly appointed haranguer announced the orders governing every step in the preparation for the move, commencing with "Pull down your tepees and get ready to move!" Their lodges were quickly pulled down by the women and the poles either tied in bundles for convenience or used for the travois. The women did all of the labor; they saddled the ponies, harnessed the horses and dogs to the travois, packed and loaded the goods, and, if necessary to cross the Missouri or other stream, paddled the men across in "bull-boats"; their horses, fastened by long lariats, made from strips of buffalo skins, swimming in the rear.

The march being taken up, the head of the family took the lead, followed by his horses, dogs, women and children, household effects, and camp equipage; the very young children and puppies being strapped on the travois.

No chief was so great that he dared disobey the warriors, or head men of the tribe called "Soldiers," who were in absolute command. They directed the march, selected the stopping places, lingered at the rear to prevent loitering, and none could hunt without permission, or separate in any manner from the column.

The winter camps were in the Bad Lands, formed by erosion, usually 200 or 300 feet below the general level of the prairie. They were cut by numerous gullies and ravines, called breaks, giving small valleys, affording shelter, excellent winter grazing, and an abundance of timber for fuel and for erecting their temporary homes. There was also an abundance of game, consisting of deer, mountain sheep, bear, beaver, wolves, and as the winter advanced in severity, buffalo came in for shelter. The grasses matured before frost, and when winter came they were in the condition of hay, and the animals quickly learned to paw away the snow, and feed as contentedly on the sun-cured grasses thus exposed, as the stock in the eastern farmer's barnyard at the hay or straw stack, though on food of much better quality.

It was these features which led Theodore Roosevelt in 1881 to become a citizen of North Dakota, establishing a cattle ranch at Chimney Butte, near Medora, in the very heart of the Bad Lands.

To guard against storm, or in preparation for surrounding the buffalo, when there might be no time or opportunity for grazing, the women stripped bark from the young cottonwood trees, or the limbs of the last year's growth, which made good food for the Indian ponies.

The place having been selected for the winter home—which was liable to change at any time if conditions did not prove satisfactory—the skin lodges were erected, and then the women felled the timber and erected temporary cabins covered with poles, rushes, reeds or long grass and earth. The chimneys were built of sticks and clay. The buildings stood in a circle opening at the rear into an open space, covered in the same manner as the houses, used in common for the horses.

SOCIAL LIFE AMONG THE INDIANS

Notwithstanding the manifold duties of the women, they found time to attend the meetings of the several societies, or clubs, to which they had become attached. Some of these societies, organized much after the plan of the women's clubs of the present day, were known as the "White Cow Band," the white buffalo being a sacred animal; one was the "Goose Band," and still others were distinguished by names descriptive of some esteemed game, such as the "Black Tailed Deer," etc. Indians having several wives, each belonging to different societies, found it rather strenuous sometimes, as it was customary for each to entertain with feasting and dancing in turn. Some of their defenseless husbands made that an excuse for gambling, but when their losses of the necessaries of life became unbearable, their wives seldom failed to break up the game, and teach their husbands a much-needed lesson.

The men spent most of their time hunting, watching the stock, visiting, gambling and telling stories, until the buffalo made their appearance, when all was hurry and bustle.

Thus the seasons would pass, several "surrounds" of buffalo happening each winter, and in the spring they would return to their permanent camp, where the women would prepare the ground and plant and harvest the crop; the men, as before, devoting their attention to visiting, gambling, hunting and war.

CHAPTER VII

GRAFT IN THE INDIAN TRADE

ETERNAL VIGILANCE THE PRICE OF LIBERTY—THE COUNTRY OVERRUN BY INDIAN TRADERS—THE UNITED STATES AS A FACTOR—ORGANIZATION OF THE AMERICAN FUR COMPANY—THE LORDS OF THE LAKES AND FORESTS—FORT WILLIAM—THE SELKIRK PURCHASE AND COLONY—THE SEVEN OAKS MASSACRE—SELKIRK VISITS THE RED RIVER COLONY—THE CHURCH AND SCHOOLS ESTABLISHED.

"It is the common fate of the indolent, to see their rights become a prey to the active. The condition upon which God hath given liberty to man is eternal vigilance; which condition, if he break, servitude is at once the consequence of his crime and the punishment of his guilt."—*John Philpot Curran, Speech upon the Right of Election, 1790.*

GRAFT IN THE INDIAN TRADE

The use of public office for the purpose of gain to the individual is now called "graft," and those who prey upon and mislead the people for their own personal advantage, are called "grafters," but it is no new thing in the world. In 1804 Captain Lewis commented upon this system then in vogue in Louisiana, under Spanish rule. The governor had assumed to himself the exclusive right to dispose of trading privileges among the Indians, selling licenses for personal gain. They were offered to the highest bidder, varying in value according to the extent of the country they embraced, the Indian nations occupying that country, and the period for which they were granted. They yielded all the income to the authorities the trade would bear. The traders at this period supplied the Indians with arms, ammunition, intoxicating liquors, and, indeed, anything they wished to buy, charging them exorbitant prices, and the governor profited by the excess.

OTHER LINES OF GRAFT

But graft did not end with Spanish rule, nor with the retirement of the British traders. The history of the fur trade, and the development of the West is full of instances, and it is well for the people to remember, even yet, that "eternal vigilance is the price of liberty."

Joseph Rolette, an early Pembina trader, was too successful in the estimation of his rivals, and too popular with the Indians to suit their purposes, and so they elected him to the Minnesota Legislature, and by that means got him out of the way for a time at least.

Gen. William H. Ashley, who was one of the most successful of the early traders, was disposed of by being sent to Congress, and it was charged that at the end of his term he was paid a large salary to stay away from the Indian country.

When Indian treaties were made for the alleged benefit of the Indians and to promote the interests of trade, the "grafter" was on hand to claim his share from both the Indian and the traders. The Minnesota massacre was largely the result of his work.

When the Indian traderships ceased to be attractive, attention was turned to the military traderships. It was freely charged at the time of the impeachment proceedings against United States Secretary of War William W. Belknap, that the Fort Buford, Fort Abraham Lincoln and Fort Rice traderships paid $1,000 per month each for the influence that controlled the appointments. Lesser sums were paid by the smaller posts. It was also charged that the Indian traderships contributed to a fund that paid a salary of $5,000 per annum to the one whose influence secured the appointment of the trader.

When the Indian lands were opened to settlement the "grafter" very frequently claimed, for his influence, 50 per cent of the contract price for surveys. When the mail routes were established, and the transportation routes opened, he was still there, and when counties and cities were organized, he lingered near, and he is sometimes found about legislative halls.

COUNTRY OVERRUN BY TRADERS

Traders, both Spanish and American, were operating in 1805 in the country around St. Louis. British traders had overrun Minnesota and the Dakotas, and the Spanish authorities had equipped galleys to patrol the Missouri and Mississippi rivers, in order to protect the interests of licensed traders and prevent the occupation of the country by others.

The Indians, themselves, had no objection to traders, for the opportunity to trade gave them the means to buy the essentials to Indian happiness. They were generally friendly to the British traders and unfriendly to the Spanish, and would frequently lie in wait to destroy the galleys, or to attack the Spanish traders making their way up the rivers. Occasionally they would be incited by one trader to make war upon another, and they were quick to recognize the advantage in trade held by the British over those of the United States, by reason of the high duties the latter were compelled to pay on the leading articles the Indians desired to buy.

There was little, if any, attention paid to the international boundary, and goods were being shipped into the United States territory without the payment of duty by the British traders. Rival British traders occupied the whole of the Canadian boundary; the British flag was flying over their fortified posts at almost every available point for trade, and when the hour of national distress came, they led the Indians as their allies in the War of 1812.

Although the Hudson's Bay Company claimed the Red River Valley and had made an attempt to occupy it, the aggressive force was the North-West Company, which was occupying every available point for trade.

THE UNITED STATES AN INDIAN TRADER

Lieutenant Pike left the impression among the Indians and traders that it was the intention of the Government to not only interfere with and restrict the sale of intoxicating liquors, but to establish Government stores at which goods should be sold to the Indians at cost, allowing them a reasonable price for fur in exchange for goods, and in accordance with this policy, an attempt to do this was made by the Government. The treaty with the Osage in November, 1808, by Capt. Meriwether Lewis, then governor of Louisiana, provided that the United States should establish permanently a well assorted store to be kept at Fort Clark, Mo. (also known as Fort Osage), for the purpose of bartering with the Indians on moderate terms for their furs and peltries, such store to be kept open at all seasons of the year. This article of the treaty was eliminated by amendment, in the treaty of 1822, the United States paying the Indians $2,329.40 to be relieved from that provision of the treaty. Similar agreements had been made for trading facilities with other Indian tribes, from which the Government, also, secured release.

It was believed that it was the true policy of the Government to draw the Indians within the plane of civilization, and that to furnish them goods at cost and pay them the full value for their peltries, would be an object lesson that would lead them in that direction.

The factories established by the Government were mainly east of the Mississippi River. There was only Fort Osage west of the Missouri.

While undertaking to furnish the Indians with goods at cost, the Government issued licenses to other traders desiring to enter into competition. The private trader advanced supplies, and whatever the Indian might require when he started on the hunt, generally accompanying him, and securing his furs as fast as taken. The Government stores could not give credit, nor could they sell intoxicating liquors to the Indians, but the private traders smuggled liquors into the country and satisfied their yearning for it. The Government traders were required to sell American goods, but the American blankets and other goods were not then equal to those imported, and could not be sold to the Indians in competition with English goods. The private trader usually spoke the Indian language, was personally acquainted with the Indians and had an interest in securing trade and in the profits resulting therefrom, but the Government trader was a salaried person, had nothing to gain by making sales and nothing to lose if he failed. The system was abandoned in 1822, largely through the persistent efforts of United States Senator Thomas H. Benton of Missouri, who led the assaults upon it in the interests of the American Fur Company, having its western headquarters at St. Louis.

THE AMERICAN FUR COMPANY

The American Fur Company was organized under a charter granted by the State of New York, approved April 6, 1808. John Jacob Astor was the company. Auxiliary companies were organized for special purposes and special places, and called by various names, Astor retaining a controlling interest in each, and merging the business of each with that of the American Company, for which he sought the markets of the world.

The Pacific Fur Company, organized June 10, 1810, was one of these special organizations. A part of the company was sent by sea to the mouth of the Columbia River on the Pacific coast, and other members went overland, leaving the Arikara villages on the Missouri River June 12, 1811, reaching Astoria the following January. In 1816 Congress passed an act, excluding foreigners from the fur trade in the territory of the United States, excepting in subordinate capacities under American management. This was brought about, in part, by the activity of the traders during the War of 1812, on behalf of Great Britain, but due largely to the influence of Mr. Astor. This gave him the opportunity to take up the interests of the North-West Company in the United States, which he consolidated with the South-West Company, previously organized, and the Pacific Fur Company, and enabled him to recoup his previous losses on the Pacific coast.

The American Fur Company was reorganized in 1817, and a western department established with headquarters at St. Louis. Ramsey Crooks became the general agent, assisted by Robert Stuart. Russell Farnham was the chief representative on the Mississippi, and to him is given the credit of being the first to carry the trade of the American Fur Company into the Missouri River region. Pierre Choteau, and his associates, became interested in the company in 1829.

The Missouri Fur Company was reorganized in 1818, its membership then consisting of Manuel Lisa, Thomas Hempstead, Joshua Pilcher, Joseph Perkins, Andrew Wood, Moses Carson, John B. Immel and Robert Jones.

FORT WILLIAM

For many years Grand Portage was the headquarters of the fur trade on the great lakes, but under the treaty of amity and commerce of 1794, between the United States and Great Britain, known as the John Jay treaty, it was provided that all British forts within the territory of the United States should be evacuated within two years. Accordingly Grand Portage was abandoned, Fort William—so named for William McGillivray, the Montreal manager of the North-West Company—was established, and the headquarters were transferred to that post.

Fort William overlooking the bay on the north side of Lake Superior was surrounded by a palisade and in its center stood the headquarters building, with its walls hung with costly paintings, and beautifully decorated. There was a council chamber and parlor where the members of the company, known as partners, and their guests were entertained. The dining room, supplied with tables for the various employees as well as for the managers, the partners and their guests, was 60 by 30 feet in extent. There were private rooms for the partners at either end of the dining hall, which was flanked by sleeping rooms, and a large kitchen and other conveniences. There were, also, the general store, within the stockade, the canteen or liquor store, the warehouses and workshops, and the home of the resident partners and employees. Several hundred persons were usually camped in the vicinity of the fort, some seeking pleasure and others waiting for employment when the busy season should commence.

The members of the company who spent the winters in the field were called the "wintering partners." Others were at Fort William in order to receive and forward general goods and furs, and still others, at Montreal, managing the general interests of the company, buying and selling supplies and products.

They practically controlled the trade of the lakes and forests, and the streams entering the lakes.

Washington Irving wrote of the power of these autocrats:

"The partners held a lordly sway over the wintry lakes and boundless forests of the Canadas, almost equal to the East India Company over the voluptuous climes and magnificent realms of the Orient."

And of its decadence:

"The feudal state of Fort William is at an end; its council chambers no longer echo in the old world ditty; the lords of the lakes and forests have passed away."

The annual meeting of the company was held at Fort William, and on these occasions, and on holidays, banquets were given to the visiting partners that were almost regal in character. The tables were supplied with every luxury from the east and the west—with game from the forests, and choicest of the finny tribes from the lakes and streams, and the most costly wines and liquors. As the morning hours approached and the festivities reached the carousal stage, restraint was relaxed and the doors were thrown open, when the voyageurs, servants and attendants were permitted to look on and laugh, if not to participate in the merry pranks and songs of the wine-heated partners and their guests.

THE VOYAGEURS

The canoe, which was the only means of transportation between the East and the West, was made of birch bark, and carried from one and one-half to four tons of freight, or an equivalent number of passengers, and swiftly sped over the lakes and streams, manned by voyageurs, merrily singing some favorite ditty, such as:

"Row, brother, row; the stream runs fast,
The rapids are near and the daylight is past,"

and when the rapids were reached, they would as merrily carry boat and freight over the portage, around the rapids, or, from one stream to another, and pass on, singing:

"Faintly as tolls the evening chime,
Our voices keep tune and our oars keep time."

Also for the evening the following was a favorite:

"Sing nightingale, keep singing,
Thou hast a heart so gay;
Thou hast a heart so merry,
While mine is sorrow's prey."

Several hundred descendants of these people became residents of North Dakota. They had passed through all the experiences to be encountered in

PONCA INDIANS ENCAMPED ON THE BANKS OF THE MISSOURI
From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

THE VOYAGEURS AT THE PORTAGE

frontier life, beginning with the happy life of the voyageur, participating in the dangers of war, and in the excitement of the chase, settling down, at last to the quiet life of the rancher and farmer.

Peter Grant, who established the first trading post at the mouth of the Pembina, heretofore mentioned, was an interesting writer. Of the canoe service he said:

"The North-West Company's canoes, manned with five men, carry about three thousand pounds. They seldom draw more than eighteen inches of water, and go generally at the rate of six miles an hour in calm weather. When arriving at a portage, the bowman instantly jumps into the water, to prevent the canoe from touching the bottom, while the others tie their slings to the packs in the canoe and swing them on their backs to carry over the portage. The bowman and steerman carry the canoe, a duty from which the middlemen are exempt. The whole is conducted with astonishing expedition, a necessary consequence of the enthusiasm which always attends their long and perilous voyages. It is pleasant to see them, when the weather is calm and serene, paddling in their canoes, singing in chorus their simple, melodious strains and keeping exact time with their paddles, which effectually beguiles their labors. When they arrive at a rapid, the guide or foreman's business is to explore the waters previous to their running down with their canoes, and, according to the height of water, they either lighten the canoe by taking out part of the cargo and carry it overland, or run down the whole load.

THE SELKIRK COLONY

In 1801 Sir Alexander Mackenzie published an account of his explorations, which attracted the attention of Thomas Douglas, Earl of Selkirk, who conceived the idea of colonizing a considerable number of the homeless people of his own land where a strong and loyal community might be built up. He endeavored to interest the Hudson's Bay Company in a colonization scheme, but failed to secure concessions from them; it being their policy to prevent settlement and to retard development, and hold the country for the Indian trade entirely. Thereupon he proceeded quietly to purchase, through his own resources and the assistance of his friends, a controlling interest in the stock of that company, and having accomplished this, on May 30, 1811, the company sold to him 110,000 square miles of the land, embracing all of the Red River within the British possession, and the streams tributary thereto, with other lands. Selkirk was materially assisted in accomplishing his purpose by the accounts of the explorations of Lewis and Clark published in England and other foreign countries.

THE SELKIRK PURCHASE

The country purchased by Selkirk, without other consideration than his agreement to colonize it, covered an area of upwards of seventy million acres, described, in detail, as follows:

"Beginning at the eastern shore of Lake Winnipeg, at a point on 52° 50′ north latitude, and thence running due west to Lake Winnipegoosis, otherwise called Little Winnipeg; thence in a southerly direction through said lake, so as to strike its western shore in latitude 52°; thence due west to the place where parallel 52° intersects the western branch of the Red River; thence due south from that point of intersection to the height of land which separates the waters running into Hudson Bay from those running into the Missouri and Mississippi rivers; thence in an easterly direction along the height of land to the source of the River Winnipeg, meaning by such last named, the principal branch of the waters which unite in the Lake Saginalis; thence along the main stream of those waters and the middle of the several lakes through which they flow, to the mouth of the River Winnipeg, and thence in a northerly direction through the middle of Lake Winnipeg to the place of beginning, which territory shall be called Assiniboia."

The grant embraced nearly all of what is now Manitoba, and a small portion of North Dakota. Having thus secured the land, Selkirk sought to interest in his colonization scheme the Scotch Highlanders, who were at that time being evicted from the Sutherland and other estates in Scotland. The Sutherland estate embraced some seven hundred square miles of well populated territory. All tenants within a defined district were ordered to vacate within a given time, and when that time expired, if any remained, they were forcibly evicted, whether sick or well, and their homes given to the flames. It was partly to meet the needs of this class of people, to find "homes for the homeless," who formed the bulk of his colony, that Selkirk undertook the work of colonization.

Under these conditions it was not difficult to obtain colonists, and that year he dispatched seventy persons to the Red River Valley, who arrived the year after, followed by fifteen or twenty more the next year, by ninety-three in 1814; by 100 in 1815; about two hundred and seventy being Scotch Highlanders, of whom 130 became permanent settlers.

The first party was in command of Capt. Miles Macdonnell, who had seen service in the British army, the colonists meeting with opposition and petty annoyances from the start by agents of the North-West Company, who were, also opposed to the settlement of the country. Other parties leaving England for the colony were interrupted and annoyed by North-West Company influences; some of its designing members having purchased stock in the Hudson's Bay Company, hoping to defeat Selkirk's project.

The colonists were not only distressed before they left for Rupert's Land, as the country came to be known, but there was sickness and trouble at sea, and when they arrived at York factory, Hudson Bay, September 24, 1811, they were landed without any previous preparations to receive them, and even the sick were without shelter. Their trip to the Red River the next spring, through an unsettled country, though by canoe, was an arduous one.

After they reached the Red River they were annoyed in every conceivable manner, by persons dressed in Indian garb, threatening them and committing petty depredations upon their property, for the purpose of frightening them; outrages which it was intended should be attributed to the Indians. Finally 140 of the colonists were led away by agents of the North-West Company, who promised them land in Canada, a year's provisions, and other considerations, but the more sturdy ones refused to leave. June 25, 1815, these were attacked by the Bois Brule, as the half-bloods were called, one of their number killed, several wounded, and their homes burned. Those who survived were driven away, but were piloted to the Hudson's Bay Company factory, on Lake Winnipeg, by friendly Indians.

The distrust natural to the Indians had gradually been displaced by a liking for the colonists, not only because they offered a market for meats the traders refused to buy, but for their sturdy integrity. Unlike the majority of their race, whose preconceived opinions, as will be noted further on, were not flattering to the whites in general, they had found white men who were not liars, and were not trying to harm or take advantage of them, and though they ridiculed their "tender feet," they stood ready to act in their defense, and all efforts to induce them to attack the colonists failed.

On the arrival of the new settlers in June, 1815, the colonists who had been driven away, returned and rebuilt their cabins and harvested their crops. Because no preparations had been made to receive the colonists of that year, and on account of the scarcity of provisions, seventy-five of the strongest went to Pembina where there was a deserted trading post, which was fitted up for their comfort, and a number of new cabins erected. The buffalo were, also, abundant near Pembina, and pemmican could be obtained for food from the Indians.

The succeeding winter was a severe one, the mercury sometimes falling to 45 degrees below zero, with deep snows. Their supplies of food were very low, but with pemmican obtained from the Indians, fish—caught through holes in the ice—from the river, and an occasional dog, which they relished under the circumstances, they managed to subsist during the winter, and in the spring they gathered the seed-balls of the wild rose and acorns, which, cooked with buffalo fat, afforded nutritious aliment.

During the trouble with the settlers in the summer of 1815, Governor Miles Macdonnell had been arrested and carried away from the colony by Duncan Cameron, the North-West Company governor, acting as an alleged Canadian officer, and the artillery belonging to the Hudson's Bay Company post had been seized, on the ground that it had been used to break the peace, when used in defense of the colony. But among the new arrivals that year was Robert Semple, a former officer of the British army, who assumed the duties of governor of the colony. He spent a portion of the winter at Pembina, where the North-West Company had a trading post, known as the Pembina House. This he seized, and arrested the managers—who were afterwards released—and, also, in May, 1816, attacked and razed a post belonging to the company, known as Fort Gibraltar, which was in charge of Cameron, using the material to strengthen the defenses at Fort Douglas, the Hudson's Bay Company post, and to rebuild the homes of the settlers.

Fort Gibraltar was erected for the old X. Y. Company, the Montreal rival of the North-West Company, represented by John Wills.

The stockade was made of oak logs, split in two, fifteen feet high. There were eight buildings, viz., four, 64, 36, 28 and 32 feet in length, respectively, and a blacksmith shop, a stable, a kitchen and an ice house. Twenty men were engaged a year in its construction.

Fort Douglas, the site of the settlement of the Selkirk Colony, was one mile below the confluence of the Red and Assiniboine rivers. Here was the residence of the governor. Selkirk gave it the name Kildonan, in 1817, in honor of the settlers who came from Kildonan parish in Scotland.

In the spring of 1816, the settlers left their quarters at Pembina, known as Fort Daer, occupied winters by members of the colony until 1823, and planting their crops, looked for favorable returns and for peace, yet fearing the worst, for the retaliatory measures adopted by Governor Semple had made bloodshed almost certain.

THE GOVERNOR AND SETTLERS KILLED

On June 16, 1816, the settlers were again attacked by the Bois Brule, and the governor and twenty-one out of twenty-eight of his officers and men were shot and killed at Seven Oaks, whereupon Fort Douglas was surrenderd to the representatives of the North-West Company. The attacking party was commanded by Cuthbert Grant, and the attack was planned by Duncan Cameron, the chief officer of the North-West Company, especially instructed to destroy the colony. Through many kindnesses done the colonists, and through being able to speak their languages, he had succeeded in planting the seeds of discord, and in leading away the major portion of the colony before the attack of the previous year.

It may be doubted that murder was intended. The Montreal traders had been the first to explore and open the country to trade, followed by the Hudson's Bay Company at every important point. The Hudson's Bay Company's grant to Selkirk embraced much of a country which the North-West Company regarded their own by right of discovery or original French leases or grants, and by occupation. Selkirk had given them a limited time in which to leave the territory, and his agents had captured their Fort Gibraltar and razed it, taking absolute command of the river, interrupting their communication with their frontier posts and paralyzing their business; and he had also captured their post at Pembina. He failed to supply his colonists with provisions or means of cultivating the soil, but had not neglected to furnish them with arms and ammunition, and a battery of artillery, and Governor Macdonnell had thoroughly drilled them, exciting the belief that the colony was to be used as a military force to crush the North-West Company and utterly destroy their business. This Cameron was expected to prevent.

At Sault Ste. Marie, on his way to this colony, Selkirk learned of the murder of Governor Semple and his party. His expedition consisted of about two hundred and fifty men; among them 100 men of the DeMeuron and Watteville regiment, whom he had hired to go to the colony and defend it, if need be; 150 canoe men and other employees. He immediately proceeded to Fort William, the headquarters of the North-West Company, and, acting as a magistrate, arrested all of the principal men connected with the company, and sent them to Canada for trial. He wintered at Fort William, proceeding to his colony the next spring, and upon his arrival in June, restored order and confidence. He gave deeds for the lands on which his settlers had made improvements, made treaties with the Indians for the extinguishment of their title to the lands he claimed, made a treaty of peace with the Sioux, and, though a Protestant, he urged the Catholic authorities to establish a mission at Fort Douglas, and for this purpose gave twenty-five acres for the church, and a tract of land, 5 miles long by 4 miles wide, promising any additional aid he or his friends might be able to render.

THE CHURCH AND SCHOOLS ESTABLISHED

For 150 years the Hudson's Bay Company had owned and occupied Rupert's Land. They had generally prospered, and their stock had paid large dividends, and yet, in all that land, there was neither church nor chapel, priest nor teacher—not a single school had been founded. But this condition was to prevail no longer.

In February, 1816, selection was made by the Bishop of Quebec of the person to establish the mission requested by Selkirk, and for which his colonists had petitioned. July 16, 1818, Father Joseph Provencher and his companion, Father Joseph Severe Dumoulin, arrived at Fort Douglas, and established a mission which thereafter was known as St. Boniface. Soon after their arrival grasshoppers visited the Red River country, and completely destroyed the crops of the settlers, forcing the new colonists, who arrived that year, also to go to Pembina, where there was already a considerable settlement.

Father Dumoulin went to Pembina the latter part of August, and September 8, 1818, celebrated mass at Pembina, the first Christian service within the limits of what is now North Dakota.

He founded a school, which was placed in charge of William Edge, and when the Vicar General (Provencher) arrived in January, 1819, there were sixty pupils in the school, and 300 people in the parish, while at St. Boniface, the foundation of Winnipeg, there were about fifty. The first teachers in the school at St. Boniface were the two Misses Nolen, Pembina girls and daughters of the trader.

Of the commercial advantages of Pembina, the Vicar General thus wrote to the bishop:

"That post is for the present very important. From there I, with all of the colony, receive all of my provisions. I shall continue to build there."

He spoke of his chapel at St. Boniface, 80x35 feet, and his "shop" at Pembina, 24x18 feet, with a presbytery, 60x30 feet. He was disquieted by the information that Pembina was on the American side of the international boundary line, and admitted that his plan had been disarranged by the information, but he intended "to continue to build, for Father Dumoulin must spend the winter there."

In 1819 and 1820, the grasshoppers again destroyed the crops, leaving the colonists entirely dependent upon Pembina for subsistence. Provencher spent the winter of 1819-20 at Pembina. Almost every one had left St. Boniface for the winter.

In 1820 Provencher was appointed coadjutor bishop of Quebec with the title of Bishop of Juliopolis, and May 12, 1822, was consecrated. He returned to St. Boniface in August, 1822, after an absence of two years from the colony, to find that the Hudson's Bay Company had insisted upon the withdrawal of the priests from Pembina, for the reason that it was on the American side. This was determined by observations made by David Thompson for the North-West Company in 1798, and confirmed in August, 1823, by Maj. Stephen H. Long, the priests having withdrawn the previous January.

Some of the settlers after the withdrawal of the priests founded the parish of St. Francis Xavier, and others went to Fort Snelling, and various points in the United States, the colonists generally returning to St. Boniface, as they had been in the habit of doing, each spring. Father Dumoulin was heart-broken over the destruction of the interests he had built up at Pembina, and returned to Canada, where he died in 1853.

HUDSON'S BAY COMPANY AND NORTH-WEST COMPANY AMALGAMATED

Regarding the amalgamation of the Hudson's Bay and North-West companies, the following letter was written by Alexander Lean to Peter Fidler, both members of the Hudson's Bay Company, at London, May 21, 1821:

"I received your esteemed favor of the 14th August last from Norway House. I thank you much for the information it contained. I shall now, in return, give you such intelligence as will, I trust, not only be agreeable to you but to every individual in the service.

"In the first place, all misunderstanding between the honorable company and the North-West Company is totally at an end. You are to know that the honorable company caused it to be announced in the Gazette and daily papers, that a general board of proprietors would be held at their house on Monday, the 26th March last. It was so held and many of the Hudson's Bay and North-West proprietors attended. Tendency of this meeting was to promulgate that a union between the two companies had taken place. I cannot enumerate the resolutions which unanimously passed on the occasion, let it suffice for me to acquaint you that it appears to have been a well-digested plan, which eventually will tend to the advantage of both companies.

"Mr. Garry, a gentleman of the honorable committee, accompanied by Mr. Simon McGillivray, has embarked for New York, from thence to Montreal in order to proceed to the company settlements, the North-West stations and Red River. If you should see Mr. Garry you will find him a gentleman in every respect, and deserving respectful attention. The whole concern will be apportioned into shares to which the North-West agent will be entitled.

"I was present at the general board (being a proprietor) and after the business was concluded a mutual congratulation passed between the governor, etc., and myself, and I sincerely wish every individual, a fellow laborer in the same vineyard in which I was till lately, joy on the happy event."

Peter Fidler was a surveyor and a very well-known officer in the service of the Hudson's Bay Company; John Wills, the Pembina manager of the North-West Company, is mentioned in the will of Mr. Fidler, dated August 16, 1821.

CHAPTER VIII

THE NORTHWEST TERRITORY

VINCENNES THE KEY—CLARK AND HAMILTON—WAYNE AND THE TREATY OF GREENVILLE—POST VINCENTS OR VINCENNES—JOHN TANNER, THE WHITE CAPTIVE—AT OLD PEMBINA—PE-SHAU-BA'S RECOLLECTIONS AND DEATH—LORD SELKIRK AND TANNER—THE SHAWNEE PROPHET—MESSENGER AT PEMBINA—THE SIOUX AT THE GATES—JEFFERSON TO ADAMS—DRAWING THE LINE—HARRISON AND TECUMSEH—BATTLE OF TIPPECANOE—THE PASSING OF TENKSWATAWA.

> "For one by one, the scattered race
> Hath slowly dropped from time and space.
> All silently they slipped away,
> As shadows pass at close of day.
> So vanish like the morning dew,
> The older clans before the new."
> —*Susan H. Wixon, "Indian Town."*

VINCENNES THE KEY

The country north of the Ohio River had come into the possession of the United States through the capture of Post Vincents, or Vincennes, by Col. George R. Clark, with the co-operation of Patrick Henry, who was the first governor of Virginia and held the office by successive re-elections until 1779, and was again elected at the close of the Revolutionary war.

The post, which was of great importance for trade, was located on the east bank of the Wabash River, in Indiana, 150 miles above its junction with the Ohio River, and was taken from the British,, who had acquired the territory in 1763, and had held it for a period of nineteen years.

The fort was built by Francois Morganne de la Vincenne, an officer in the service of the King of France, in the fall of 1702, on the site of the present City of Vincennes. The plot of ground was held until 1839, when it was divided and sold in lots. It owed its origin to military necessity for protecting French possessions, and was one of a contemplated chain of forts to connect Canada with Louisiana. It was built of logs, and when it was torn down in 1820, the logs were used in the construction of private houses.

The Indians were friendly and assisted in building the fort, and among the tribes surrounding the location was the Shawnee. It was one time called "Fort Sackville" by the British, in honor of Sir Thomas Sackville, earl of Dorset, and prime minister of Great Britain when that government assumed possession of the territory, but the change was never acknowledged by the citizens of the town. Colonel Clark changed the name to "Fort Patrick Henry," but it did not stand. The founder of the fort was burned at the stake after a battle with the Chickasaws, on Easter Sunday, 1736. He refused to join in the retreat, and remained with his wounded and dying soldiers in the hands of the Indians.

The British commander, Henry Hamilton, lieutenant governor and superintendent, held the fort when besieged by Colonel Clark, and notes of capitulation between officers were exchanged February 24, 1779, Great Britain surrendering to Virginia for the following reasons:

"The remoteness from succor, the state and quantity of provisions; unanimity of officers and men in its expediency; the honorable terms allowed, and, lastly the confidence in a generous enemy." During the siege one of Clark's men was wounded, and in the fort seven men were badly wounded out of a garrison of seventy-nine men.

The most powerful Indian in the country was "Tobacco's Son," who was friendly to Clark.

IMPORTANCE OF THE SURRENDER

This was one of the most important periods in its consequences in the history of the American Revolution, for the reason that owing to this conquest, and the consequent civil and military control of the Northwest, we were able to secure in the Treaty of Paris, made by representatives of Great Britain and the United States after the close of the war, the concession of the Mississippi River for our western boundary.

The land lay between the Alleghanies and the Mississippi, embracing the states of Ohio, Indiana, Illinois, Michigan, Wisconsin and Minnesota. The states of Virginia, Maryland, Massachusetts, New York and Connecticut, claimed a portion of this country by virtue of their charters from the king, but each, in turn, surrendered, New York, Virginia and Maryland not yielding until 1781.

THE TREATY OF PARIS, 1783

The definitive treaty of peace between the United States and Great Britain was signed at Paris on September 3, 1783, by John Adams, Benjamin Franklin and John Jay, on the part of the United States, and David Hartley for Great Britain, between Prince George III, by the grace of God, king of Great Britain, France and Ireland, defender of the faith, etc., and the United States of America, consisting of the states of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, acknowledged by his Britannic Majesty to be free, sovereign and independent states.

After the conquest by Clark the country around Vincennes became a part of the Commonwealth of Virginia. In 1784 Thomas Jefferson proposed that Congress should divide the domain into ten states, but the proposition failed. In 1786 the Northwest Territory treaties were made by the United States with the Shawnees.

THE ORDINANCE OF 1787

In 1787, a bill was passed by Congress entitled "An Ordinance for the Government of the Territory of the United States Northwest of the River Ohio."

The ordinance was modeled after the constitution accepted by the people of the State of Massachusetts in 1780, and Daniel Webster said of it: "No single law of any lawgiver, ancient or modern, has produced effects of more distinct, marked, and lasting character, than the Ordinance of 1787."

It forever prohibited slavery or involuntary servitude, "otherwise than in the punishment of crimes whereof the party shall have been duly convicted; provided, always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or services as aforesaid."

It declared that "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

Relative to the treatment of the original owners of the soil it clearly sets forth that: "The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent; and in their property rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace and friendship with them."

The movement for the organization of this territory had been initiated by an organization of the officers and soldiers of the Revolutionary war, to whom land scrip had been issued which had little value, and it was hoped that the sale of the fertile lands in this region would enable them to use or dispose of their holdings. Soldiers, trappers, hunters, and others who had passed beyond the Alleghanies, had excited an interest in the country which demanded its development. Further treaties with the Indians were necessary, however, in order to develop the country.

WAYNE AND THE TREATY OF GREENVILLE

An important movement having been decided upon by the United States Government, which Gen. Anthony Wayne was commissioned to lead, he passed the spring and summer of 1793 at Fort Washington (now Cincinnati, Ohio) in recruiting and drilling his men, proceeding on October 7th of that year to the region now designated as Darke County, where he erected Fort Greenville, passing the winter there.

After repeated failures to negotiate treaties of peace with the Indians, he gave them fair warning and then declared war, which ended August 20, 1794, in a victory for Wayne. The result was that on June 10, 1795, a council of delegates from the Indian nations convened at Greenville and on August 3, 1795, the Treaty of Greenville was signed by Maj.-Gen. Anthony Wayne, commanding the armies of the United States, commissioner on behalf of the United States for the occasion; and ninety chiefs and delegates of twelve tribes of Indians, viz., the Wyandots, Delawares, Shawnees, Ottawas, Chippewas, Potawatamies, Miamis, Eel River, Weeas, Kickapoos, Piankashaws and Kaskaskias, yielded to the United States their rights to all the territory south and east of the line then fixed. The line passed up the Cuyahoga and across the Tuscarawas Portage to the forks of the Tuscarawas near Fort Lawrence, and then south of west to Laramie's Store, thence west by north to Fort Recovery, and thence southwestwardly to the Ohio River, opposite the mouth of the Kentucky.

The lands north and west of the point named were conceded to be Indian lands excepting 150,000 acres granted to George R. Clark and his warriors, the post at Vincennes, and the lands adjacent thereto and the lands at other places in possession of the whites and six miles square at Chicago, Fort Wayne, Defiance, Sandusky and other points forming a complete chain of forts from the mouth of the Illinois and along the great lakes and a considerable tract at Detroit, the Indians agreeing to allow the free use of harbors, mouths of rivers and of the streams and portages throughout their vast domain and in addition to benefits received under former treaties they were to receive $20,000 in goods and presents and $9,500 annually forever for the surrender of their advantages; injuries and expenses sustained in the Indian wars by the United States being taken into consideration. As small as these annuities were they were divided among the several tribes and to each a certain portion.

JOHN TANNER, THE WHITE CAPTIVE

Among the characters who left their mark on the early days of the Red River was John Tanner, son of a clergyman who emigrated to the Ohio River in 1789, and with his family had been settled but a few days, when John, then a lad of twelve years, was captured by an Indian from Lake Huron.

His mother died in his early childhood. His father married again, and feeling himself aggrieved he fancied he would prefer living with the Indians. Accordingly when he was punished for a misdemeanor by being confined to the house, he slipped out unnoticed and ran to the woods where there was a favorite walnut tree, and being found there was carried away by Manito-o-geezhik "to make his wife's heart glad," for she mourned a son lost by disease.

The child was adopted into the family, but Manito-o-geezhik becoming dissatisfied with him tomahawked him, and threw him into the bushes for dead, but his wife, when he told where he was, hurried to the spot, found him still alive and nursed him back to health.

Later, Manito-o-geezhik sold him to Net-no-kwa, a noted woman, who was a wise and influential chief of the Ottawas. She gave Manito-o-geezhik two ten gallon kegs of whisky, a number of blankets, and other presents, for the boy.

Manito-o-geezhik had treated him cruelly, telling him he was going back to his home to kill his people, and after an absence of three weeks brought him his brother's hat which had a bullet hole in it, and told him he had killed the whole family. Recognizing his brother's hat, Tanner believed him, but nearly thirty years after, he found that the Indian had captured his brother and tied him to a tree for the night, but he managed to escape and returned to his home.

Net-no-kwa was always very good to Tanner, and he learned to love her as he would a mother. She dressed him well, allowed him to play with other children and gave him enough to eat.

In 1792, Net-no-kwa had moved from her home on Lake Huron to the Red River country to hunt beaver, and on her way her husband was killed, and her son and son-in-law died, and to drown trouble she resorted to indulgence in liquor, contrary to former temperate habits, and thereafter she had occasional periods of intoxication, when she would give nearly all she possessed for liquor for herself and companions whom she treated as royally as her means would permit.

Tanner remained with his foster-mother, and cared for her, until long after he became a man. He grew into a mighty hunter, so great that the Indians became jealous of him. One tomahawked him when he was asleep in his tent, and another shot him, but, in each case, although severely wounded, he recovered.

Although taken away from his home when so young, and entirely forgetting his mother tongue, having been trained in Indians ways of thought and expression, he stated that he had always been conscious of his entire dependence upon a superior being and invisible power, but that he had felt this conviction much more powerfully in time of distress and danger, and knew that the Great Spirit saw and heard, when he called on him to pity the distress of himself and family.

Tanner was noted for his integrity and bravery, and it is related of him that he once brought two parcels of fur to the Red River trading post, one of which he sold to pay a debt to the North-West Company trader, intending to use the other to settle with the Hudson's Bay Company, but in that he was violently opposed by the trader of the former company, who when persuasion failed to change his purpose, threatened him with bodily injury, and Tanner still persisting in having his own way, the trader placed a pistol to his breast, when Tanner, undaunted, pointing to his bare bosom, told him to "fire away," declaring that though he was a stranger in a strange land, a captive and a slave, he would not raise a weapon against any man and then refrain from killing him because he was afraid.

This exhibition of courage gained him the liberty to dispose of his furs to suit himself, and pay his just debt to the rival company.

AT OLD PEMBINA

Net-no-kwa, accompanied by Tanner, arrived at Pembina the day before the advent of Chaboillez in 1797, and found no indications of whites ever having been there.

Tanner was among the Indians then hunting in that region, trapping along all of the streams emptying into the Red River as far north as the Bois des Sioux where he spent one winter, often killing as many as 100 beaver in a month. He took that number one month on the Bois des Sioux, without the aid of a gun, and in his hunting he sometimes killed as many as twenty animals with a single ball, using it over and over again.

In Mr. Tanner's "Narrative," he states that about the year 1800, it was no uncommon thing for an Indian to give five or six prime beaver skins for a quart of Saulteur liquor,—a gill or two of alcohol, the rest water.

On the Mouse River, in the course of a single day, Net-no-kwa sold 120 beaver skins, with a large quantity of other furs, for rum, at the price of six skins for a quart.

"Of all of our large load of peltries, the produce of so many days toil, of so many long and difficult journeys, one blanket and three kegs of rum only remained besides the poor and almost worn out clothing on our backs," was Tanner's sorrowful reflection.

The price they paid per quart was, fairly, the equivalent of $18, and, as Tanner says, "They put a great deal of water in that."

PE-SHAU-BA'S RECOLLECTIONS AND DEATH

Among the Ottawa friends of Net-no-kwa, was an unusually bright and good Indian Chief named Pe-shau-ba. He was good to every one, and especially to young Tanner. He always gave of his substance to help others, and often interfered to stop trouble, and no matter how freely he gave, he always had, if not an abundance, enough to supply his own wants and to divide with his intimate friends, but he became very ill, and calling Tanner to him, addressed to him the following words, as related in Tanner's "Narrative":

"I remember before I came to live in this world I was with the Great Spirit above, and I looked down and saw men upon the earth. I saw many good and desirable things and, among others, a beautiful woman, and as I looked down day after day at the woman, He said to me:

" 'Pe-shau-ba, do you love the woman you are so often looking at?' I told Him I did. He then said to me: 'Go down and spend a few winters on earth. You cannot stay long, and you must remember to be always kind to my children whom you see below.' So I came down, but I have never forgotten what He said to me. When my people have fought with their enemies, I have not struck my friends in their lodges. I have disregarded the foolishness of young men who would have offended me, but have always been ready and willing to lead our brave men against the Sioux. I have always gone into battle painted black, as I am now, and I now hear the same voice that talked to me before I came into this world. It tells me I can remain here no longer. To you, my brother, I have been a protector and you will be sorry when I leave you, but be not like a woman. You will soon follow in my path."

He then put on the new clothes Tanner had given him, walked out of the lodge, looked at the sun, the sky, the lake and the distant hills, then came in and lay down composedly, and in a few moments ceased to breathe.

"Farewell, sweet lake, farewell, surrounding woods.
To other groves, through midnight glooms, I stray,
Beyond the mountains, and beyond the floods,
Beyond the Huron Bay—
Prepare the hollow tomb, and place me low,
My trusty bow and arrows by my side,
The cheerful bottle and the venison store,
For long the journey is that I must go
Without a partner, and without a guide.
He spoke, and bade the attending mourners weep,
Then closed his eyes and sunk to endless sleep."

—*Philip Freneau, "The Dying Indian."*

LORD SELKIRK AND TANNER

In 1816, Thomas Douglas, fifth Earl of Selkirk, Baron Daer and Shortcleugh, while visiting this country became much attached to John Tanner and located his family on the banks of the Ohio River. Tanner, when Lord Selkirk found him, had grown to manhood, and had married an Indian woman and after being recognized by his family through the exertion of Lord Selkirk, brought several of his half-blood children into the United States. Returning afterwards for his two daughters, he found that their mother, believing he was about to desert her, had given one of their daughters to an Indian, who had agreed to murder Tanner, and in the attempt shot him, but not with fatal effect. He was found by Maj. Stephen H. Long, the explorer, and his party, in 1823, on the Rainy River, alone and uncared for, having been abandoned by his wife and daughters.

Dr. Edward James, of the Long Expedition, reduced his life and adventures to writing and published them in 1830, under the title of "Tanner's Narrative." This production confirms much that was written by Alexander Henry.

THE SHAWNEE PROPHET

The Indians of America, no less than the white men of Europe, and the brown men of Asia, have had many prophets and messiahs, who have taught them spiritual things.

In November, 1805, there arose a prophet among the Shawnees of Ohio, who called himself Tenskwatawa (the "Open Door"). He was twin brother of Tecumseh, conspicuous in American history immediately before the War of 1812, by reason of the setting on foot of an Indian confederacy to hold the Ohio River as a boundary beyond which white settlement should not be advanced.

The Shawnee Prophet, at the height of his popularity was about thirty years of age, and is said to have possessed a magnetic personality of extraordinary power, notwithstanding the physical drawback of the loss of one eye.

His friends claimed that he had gained superior insight and knowledge of spiritual things by means of a trance, in which he was believed to be dead, and preparations were made for his funeral, but he revived, and announced himself the bearer of a new revelation from the Master of Life.

He warned his followers against the use of intoxicating liquors, depicting the horrors of drunkenness so vividly, that intoxication became almost unknown among the Indians during the period of his influence. He required a return to the primitive life, all property to be in common, according to the ancient laws of the tribes, and all the white man's tools must be discarded, and his customs renounced. He denounced the witchcraft practices and medicinal juggleries, reserving to himself the power to cure all diseases, and stay the hand of death from disease or wounds by supernatural skill. He forbade intermarriage with the whites, and the adoption of their dress and firearms, and admonished the young to respect the aged and infirm. They must give up their dogs, and keep a fire ever burning in the lodge.

His followers carried their virtues to such an extent that they even emulated the whites of New England, and burned their witches, roasting one subject four days, before death came to her relief.

His fame extended to the extreme Southwest, where the Indians had looked for a messiah under whose influence "the earth should teem with fruit and flowers without the pains of culture, when an ear of corn should be as much as one man could carry, and the cotton as it grew should of its own accord take the rich dyes of human art, and the air should be laden with intoxicating perfumes and the melody of birds."

Under the vigorous preaching of a former prophet, many in the southwest gave up their flocks and herds, their apiaries and orchards—for they were becoming civilized—and returned to the forest to take up the simple life of their fathers. The influence of the Shawnee Prophet extended to all western and southwestern tribes. The Chippewa killed their dogs, ceased, in a measure, to fear the Sioux, and tried to lead the life taught by the one they had learned to love and look upon as a redeemer. They had mysterious rites of confirmation peculiar to their religion.

THE SHAWNEE PROPHET'S MESSENGER AT PEMBINA

Tanner's "Narrative" describes the effect at the Pembina Post of the Prophet's doctrines:

The next spring (1806) we had assembled at the trading house at Pembina. The chiefs built a great lodge, and called the men together to receive information concerning the Great Spirit. The messenger of the revelation was Manito-o-geezhik, a man of no great fame (not Tanner's foster-father) but well known among the Chippewas. Little Clam took it upon himself to explain about the meeting. He sang and prayed, and proceeded to detail the principal features of the revelation brought by Manito-o-geezhik: The Indians were to go no more against their enemies; they must no longer steal, defraud or lie, they must neither be drunk, nor eat their food nor drink their broth when it was hot; and henceforth the fire must never be suffered to go out in the lodge, summer or winter, day or night, in storm, or when it was calm. They must remember that the life in the body and the fire in the lodge are the same, and of the same date. If they suffered their fires to be extinguished, at that moment their lives would end. They must not suffer a dog to live. The Prophet himself was coming to shake hands with them, but Manito-o-geezhik had come before that they might know what was the will of the Great Spirit, communicated to us by him, and to inform them that the preservation of their lives depended upon their entire obedience.

They understood that they were not to kindle a fire with the steels and flint of the white man, but with the fire sticks of the olden times, nor were they to use the firearms obtained from the whites, but the bows and arrows given to their fathers.

Many of the Indians killed their dogs and threw away their steel and flints, and endeavored to do as Manito-o-geezhik had instructed Little Clam to say to them. They moved about in fear and humility, and distress and anxiety were visible in every countenance.

Under this inspiration, and the promise that the Sioux should not hurt them, they went to the waters of the Upper Red River, where Tanner hunted for beaver, and Little Clam relying on the promise, led a party of ten warriors and their families towards Devils Lake but the whole band was cut off by the Sioux.

When found, the body of Little Clam was shot full of arrows and on the camp ground were many bodies of women and children. Only one man escaped.

About this time, a leading chief and forty young men came from Leech Lake to Pembina to learn more of the message from the Prophet. The arrival of his messenger and the ceremony of shaking hands, is thus described by Tanner:

"When he arrived, he at first maintained a long and mysterious silence before announcing that he was the forerunner of the Great Prophet who would soon shake hands with the Chippewa and reveal to them his inspired words, and set forth the new manner of living which they were hereafter to adopt.

"When the Indians had gathered in the lodge, we saw something carefully concealed under a blanket, in figure and dimensions bearing some resemblance to a man. This was accompanied by two young men, who it was understood attended constantly upon it, made its bed at night, as for a man, and slept near it. But when removed no one went near it, or raised the blanket which was spread over its unknown contents.

"Four strings of mouldy and discolored beads were all the visible insignia of this important man.

"After a long harangue, in which the prominent features of the new revelation were stated and urged upon the attention of all, the four strings of beads, which we were told were made of the flesh of the Prophet, were carried with much solemnity to each man in the lodge, and he was expected to take hold of each string at the top and draw them quietly through his hand.

"This was called 'shaking hands with the Prophet,' and was considered as solemnly engaging to obey his instructions and accept of his mission as from the Supreme.

"All the Indians that touched the beads had piously killed their dogs; they gave up their medicine bags, and showed a disposition to comply with all that should be required of them. But in time these new impressions were obliterated, medicine bags, flints and steels, the use of which had been forbidden, were brought into use, dogs were reared, women and children beaten as before and the Shawnee Prophet was depised."

THE SIOUX AT THE GATES

During the meeting where they went through the ceremony described, the Sioux were lying in wait to attack Fort Pembina, and at its close when the gates were opened to turn a horse out to graze, they fired and killed the horse.

The Chippewa who were feasting and dancing after the ceremony took up arms at once, and pursued the Sioux, but without result.

The attacking party proved to be only Wanoton, mentioned in connection with Major Long's expedition, and his uncle. The influence of the Prophet remained for two or three years, during which time there was less drunkenness. and less fear of the Sioux.

Tanner did not kill his dogs, throw away his flint, or keep his fires burning, but confesses that he was sometimes uneasy.

JEFFERSON TO ADAMS

Ex-President Thomas Jefferson to Ex-President John Adams gave his opinion of the Prophet in the following terms:

"The Wabash Prophet is more rogue than fool, if to be a rogue is not the greatest of follies. He rose to notice while I was in the administration, and became, of course, a proper subject for me. The inquiry was made with diligence. His declared object was the reformation of his red brothers and their return to their primitive manner of living. He pretended to be in constant communication with the Great Spirit. * * * I concluded from all this, that he was a visionary, enveloped in their antiquities and vainly endeavoring to lead back his brethren to the fancied beatitude of the golden age. I thought there was little danger of his making many proselytes from the habits and comforts they had learned from the whites, to the hardships and privations of savagism, and no great harm, if he did. But his followers increased, until the British thought him worth corrupting, and found him corruptible. I suppose his views were then changed, but his proceedings in consequence of them were after I left the administration, and are therefore unknown to me; nor have I ever been informed what were the particular acts on his part which produced an actual commencement of hostilities on ours. I have no doubt, however, that the subsequent proceedings are but a chapter apart, like that of Henry and Lord Liverpool, in the book of the Kings of England."

It is admitted that there is no doubt that the Shawnee Prophet really sought the good of his people, and believed in the beneficial effects of his doctrines, although it is claimed that his inquisition was shocking in its cruelty.

TERRITORY ACQUIRED

Through the Treaty of Paris the United States acquired the territory Great Britain claimed by right of discovery, and would have held notwithstanding the natural rights of those dispossessed. Upon the organization, in 1788 of this addition to the Union, named the "Northwest Territory" Gen. Arthur St. Clair was appointed the first governor and was made commander-in-chief of the militia therein, to order, rule, and govern conformably to the ordinance of the 13th of July, 1787, entitled "An ordinance for the government of the territory of the United States northwest of the River Ohio." The commission took effect the 1st day of February, 1788, to continue three years, and he held the post until 1802. In the beginning of his administration he met the tribes who complained that the whites were not willing to regard the Ohio River as a boundary, at Fort Harmar (now Marietta)—erected in 1785-86 on the right bank of the Muskingum River at its junction with the Ohio, in honor of Gen. Josiah Harmar—in order to make treaties with them; and in his address he reminded them that they had been allies of Great Britain in the Revolutionary war, and the loss of the lands was one of the consequences of defeat. The first division of the Northwest Territory was into Ohio and Indiana. Ohio was admitted into the Union and Michigan was created, and the boundaries of Michigan extended to take in a good part of North Dakota.

DRAWING THE LINE

It was when the religious excitement attending the rise of the Shawnee Prophet was at its height, that Tecumseh took advantage of it to incite the Indians of the west and southwest to resist the further advance of the whites, drawing the line at the Ohio River, as later, Sitting Bull drew it at the Missouri.

Messengers were sent to every Indian nation, and representatives of the various tribes of the northwest convened at the headquarters of the Shawnee Prophet at Greenville, Ohio, in order to learn the new doctrine and receive confirmation of the belief in him through his dreams and repeated revelations and predictions; among the latter the eclipse of the sun in the summer of 1806, which he claimed as a proof of his own supernatural powers.

The movement was a revolt against the breaking down of old Indian customs and modes of life and the encroachment of the whites on their domain.

HARRISON AND TECUMSEH

Tecumseh and the Prophet held a tract of land on the Tippecanoe River, one of the tributaries of the Wabash River. To this place in the western part of what is now Indiana, Tecumseh and the Prophet, with their following, removed in the spring of 1808. They laid out a village known as the Prophet's Town, and attracted to this center a large number of northern Indians.

General William Henry Harrison had served under Major General St. Clair and Gen. Anthony Wayne, and commanded Fort Washington (now Cincinnati) in 1795, and was secretary of the territory northwest of Ohio in 1797. In 1801, he was appointed governor of the new territory of Indiana, which comprised the present states of Indiana, Illinois, Michigan and Wisconsin, nearly all in the possession of the Indians, with whom as superintendent of Indian affairs, Harrison made treaties. The year of his appointment he went to the French Village of Vincennes, and in June, 1808, Tecumseh sent a deputation of Indians to him there with a message from the Prophet. This was followed in August, by a visit from the Prophet in person who was entertained at Vincennes two weeks; General Harrison forming a very favorable opinion of him and his abilities. The party carried a supply of provisions on their return to Tippecanoe.

In June, 1810, Geneal Harrison sent two agents to Tippecanoe to more fully acquaint himself with the designs of the Prophet, and invited Tecumseh to meet him at Vincennes on August 15th, for the purpose of an interchange of friendly greetings, but Tecumseh came with an armed force of seventy warriors. They met in a grove of trees southwest of the Harrison mansion, in front of the porch, General Harrison on the porch, Chief Tecumseh in the grove. The grove and porch remained until 1840; the main house and grounds in good preservation until 1855.

Tecumseh, in response to Harrison's assurance of friendly feeling, insisted on an exact interpretation of his words in language which implied that Harrison lied when he said the Government was friendly to the Indians, for it had cheated them and stolen their lands. This terminated the interview by Harrison's order, and Tecumseh and his warriors withdrew.

In the following autumn, General Harrison was informed by a chief that the attitude of the Prophet was hostile, and Gen. William Clark, governor of Missouri, wrote to General Harrison that belts of wampum had been sent to the tribes west of the Mississippi, with an invitation to unite in a war against the United States.

BATTLE OF TIPPECANOE

A year later, on the 26th of September, 1811, General Harrison in command of a military expedition against the Tippecanoe confederacy, left Vincennes, with, as it proved, a fallacious hope, that the advance of the forces of the United States army would frighten the Indians into abandoning their designs against the government.

He sent a message to the Prophet's Town, "directing the assembled Indians who were at Tippecanoe, to return to their tribes; that stolen horses should be restored and murderers of white people be delivered up."

The agent of the governor having delivered his message, returned to headquarters, and on the 29th of October the army, numbering about nine hundred men, began their march; on the night of the 5th of November encamping within ten miles of "Prophet's Town," and meeting parties of Indians in the vicinity of the village. On the 6th of November two interpreters were directed to communicate with some of the Indians, but they refused to hold communication with them except by gestures. The forces of General Harrison encamped for the night within a mile and a half of the town, sending forward a flag of truce.

The Indians at first refused to answer and tried to cut his messenger off from the rest of the army, but later sent out three Indians to inquire the reason for the advance.

The messenger they said had gone another route, and they had missed him.

General Harrison agreed to suspend hostilities until the next day, for purposes of treaty, and that night his army slept on their arms.

Tecumseh was absent in the southwest and had left orders that war was to be avoided at all hazards until his return, but early in the evening the Indians held a council, and formed a plan, which during the night was changed, it was said through the deception of the Shawnee Prophet, who told them that one-half of Harrison's army was dead, and the other half crazy, and before daylight the entire force of the Prophet's army was creeping through the grass upon the outposts of General Harrison's camp. The men had not been roused for reveille an hour before daylight, when a single shot of a sentinel surprised by an Indian creeping upon him, broke the stillness. The wild yell of the Indian fired on was followed by the war whoop, and the entire Tippecanoe force was upon them, first overwhelming the guard, who fell back on the camp which was prepared for immediate action.

The Prophet, discreetly taking his position on a hill in the rear, prophesied success to the Indians who would be safe from all harm, spurring them to action by the shriek of his war song, and under this influence they made bold to fight in open battle, rushing right upon the bayonets in the hands of their antagonists, who with a last fierce charge put the Indians to flight, just as the dawn broke over the field of carnage.

> "Day glimmers on the dying and the dead.
>
> * * * * * * * * *
>
> The war-horse masterless is on the earth,
> And that last gasp hath burst his bloody girth!
> And near, yet quivering with what life remained
> The heel that urged him, and the hand that reined."
>
> —*Byron's Lara.*

The loss of the United States forces in killed at the Battle of Tippecanoe, including those who died from their wounds soon after, was 50, and the total loss in killed and wounded 188. The Indians left 38 dead on the field of battle, and with those they carried with them their loss must have amounted to an equal number.

On the morning of the 8th of November, 1811, "Prophet's Town" was deserted, and the United States troops moved slowly back to the fort at Vincennes. The Prophet's influence was overthrown, and the Universal Indian Confederacy was a dream of the past.

General Harrison was promoted to major general, and fought the Battle of the Thames River, October 5, 1813, defeating the allied British and Indians, including Tecumseh, in the recovery of American territory. Tecumseh was killed. The Thames River flows between Lake Huron and Lake Erie, discharging into Lake St. Clair, and the battlefield was near the site of the present City of Chatham, Ontario.

General Harrison died in the executive mansion at Washington, April 4, 1841, after an illness of eight days, at the close of a month's administration as President of the United States.

THE PASSING OF TENSKWATAWA

Many Indians who after the defeat at Tippecanoe at first seemed inclined to treat, joined the British forces during the War of 1812, but at that period the Shawnee Prophet was shorn of his prestige, and faith in his doctrines had diminished to almost complete extinction.

In an official report, Lieut. General Prevost formally acknowledged the indebtedness of the British "to Tecumseh and the Prophet," after the destruction of Detroit by their forces.

Pensioned by the British government, under whose flag he had fought in that war, Tenskwatawa at its close became a resident of Canada, but in 1826, rejoined his tribe in Ohio, from thence removing to Missouri, and subsequently with his band to Kansas, where he died in 1837 in the month of November—which seemed to hold a strange fatality for him—and is buried in an unknown grave.

To him might Joaquin Miller's counsel well apply:

> "Speak ill of him who will, he died.
> Say this much and be satisfied."

"A CHAPTER APART"

LORD LIVERPOOL—VISCOUNT CASTLEREAGH—SIR JAMES CRAIG—H. W. RYLAND—CAPT. JOHN HENRY—ORDERS IN COUNCIL—IMPRESSMENT OF SAILORS—THE EMBARGO—PRELIMINARY LETTERS—THE SECRET CORRESPONDENCE.

The chapter apart involving "Henry and Lord Liverpool," which President Jefferson places on a par with the "subsequent proceedings" of the Shawnee Prophet episode, left an ineffaceable impression upon the page of the political history of the century.

Capt. John Henry, whose origin is subject of dispute, came from somewhere in the British Isles in 1793 to Philadelphia, where he became editorially connected with the public press. During the unpleasantness with France he served in the United States army as a captain of artillery, hence his title, and at its close once more took up the profession of journalism. Some of his articles in opposition to a republican form of government had a wide circulation, and showed a discrimination so keen, and a knowledge of the internal affairs of the republic so intimate and apparently so useful for shaping the policy of foreign powers that they aroused interest on both sides of the Atlantic, and were called to the attention of the chief actors in the stirring events immediately preceding the War of 1812.

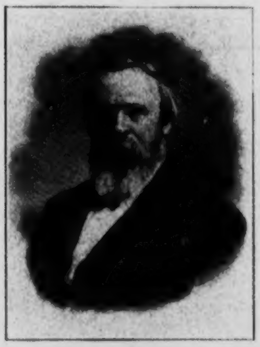
Thomas Jefferson of Virginia, the most prominent figure in the United States during his term of service, 1801-1809, was serving his two terms as President of the United States. In 1790 the country was divided into two political parties, the federalists and the republicans, the cabinet of President Washington being composed of warring elements. Thomas Jefferson, secretary of state, represented the republicans and was an unyielding advocate of state sovereignty and decentralization. Alexander Hamilton, secretary of the treasury, charged by Jefferson with the desire of creating a monarchy in America, stood at the head of the federalists, and established the Bank of the United States against the protest of Jefferson, and of Edmund Randolph, the attorney-general. In 1791 Jefferson carried on a correspondence with the British minister in relation to alleged violations of the treaty of peace with Great Britain.

The year 1799 brought a change in public opinion in favor of the republican party, and Jefferson was elected President and was inaugurated March 4, 1801. Then followed the Louisiana Purchase, the exploration of the continent to the Pacific Ocean, and the re-election of Jefferson for the presidential term commencing March 4, 1805, the year of the Shawnee Prophet uprising.

In a message to the Tenth Congress President Jefferson thus refers to our relations with the Indians:

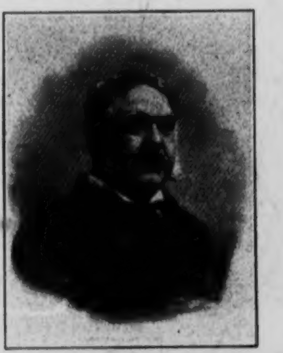
"With our Indian neighbors the public peace has been steadily maintained.

Ulysses S. Grant



Rutherford B. Hayes

James A. Garfield



Chester A. Arthur

Grover Cleveland

PRESIDENTS OF THE UNITED STATES FROM 1869 TO 1889

From a conviction that we consider them as a part of ourselves, and cherish with sincerity their rights and interests, the attachment of the Indian tribes is gaining strength daily, is extending from the nearer to the more remote, and will amply requite us for the justice and friendship practiced towards them. Husbandry and household manufacture are advancing among them, more rapidly with the southern than northern tribes, from circumstances of soil and climate; and one of the two great divisions of the Cherokee Nation has now under consideration to solicit the friendship of the United States and to be identified with us in laws and government in such progressive manner as we shall think best."

ORDERS IN COUNCIL

In 1806, approaching the period of the Henry letters, the country became powerfully excited by the loss of its profitable foreign trade as a neutral through the British "orders in council," and Napoleon Bonaparte's Berlin decree blockading European ports, and still more by the right asserted by Great Britain of searching American vessels, which were boarded and the sailors impressed as subjects of the King. "A practice," as proclaimed by Henry Clay, "which can obtain countenance from no principle whatever, and to submit to which on our part would betray the most abject degradation."

The ships and commerce of European nations had been destroyed by the wars being waged, and the United States being neutral profited by it, her vessels carrying from port to port the products of France and the dependent kingdoms, and, also, to those ports the manufactures of England. Great Britain and the United States held undisputed sway on the ocean, but American ships carrying to Europe the products of French colonies were often captured by British cruisers, and in May, 1806, several European ports under French control were by British orders in council declared in a state of blockade, though without being invested by a British fleet. United States vessels attempting to enter these ports were captured and condemned by the British. France and her allies also suffered from these orders, and in November, 1806, Napoleon issued a decree at Berlin declaring the British Islands in a state of blockade, authorizing the capture of all neutral vessels attempting to enter these ports. Thus the commerce of the United States was made to suffer by both nations.

IMPRESSMENT OF SAILORS

Great Britain had searched American vessels, and at the time of the war had taken from them by force every seaman supposed to be of British birth, to the number of more than six thousand men, and compelled them to enter the British navy to man their great fleet. The British claimed that the United States government "encouraged individuals to enter her marine, and become traitors to their country; false certificates of citizenship," they declared, "and an ear-ring in the ear, made an Englishman an American, and the Yorkshire dialect or the west country pronunciation would contradict the solemn assertions that they were Americans."

From 1803, to 1811, British cruisers captured nine hundred American vessels, many of them laden with valuable cargoes.

THE EMBARGO

In June, 1807, occurred the attack on the U. S. frigate "Chesapeake," sailing out of Hampton Roads, by the British man-of-war "Leopard," in order to secure men which were claimed as British, but whom the commander of the "Chesapeake" refused to deliver, as he knew of none such being on board.

The "Leopard" replied by firing on the "Chesapeake," which was unprepared for action, boarded her, impressed four sailors, and then abandoned her. Securing the sailors was evidently all the British commander desired, as the "Chesapeake" under her own commander put back, much damaged, into Hampton Roads, and the incident was closed. It was this outrage, however, that roused the war power of the nation to retaliation, and amidst the wildest excitement President Jefferson issued a proclamation interdicting the harbors and waters of the United States to armed British vessels, and ordered the ports protected by a sufficient force. In consequence of the continued hostility of France and Great Britain, the law passed by Congress in December, 1807, laying an indefinite embargo on the ports of the United States, and forbidding American vessels to leave those ports, although violently opposed by the federalist party, was an act of prudence in order to preserve the seamen, ships and merchandise of the United States from danger. Taking into account the alternate decrees from the British government and from Bonaparte, there were sufficient orders in existence to render liable to capture all American vessels afloat, so that in searching the pages of history the reason for the embargo is plain, and President Jefferson's order, far from being an offense, was a wise measure for defense.

One of the first acts of Congress under President Madison, in February, 1809, was the repeal of the embargo, to take effect on the fourth of the ensuing March, at the same time prohibiting all intercourse with France and England until either nation should revoke her hostile edicts.

At this period Jefferson retired from office, following the example of President Washington, and declining the nomination for a third term.

Across the Atlantic, Robert Bank Jenkinson, second Earl of Liverpool, was, in 1809, secretary for war and the colonies, and held the British premiership from 1812 to 1827.

Robert Stewart Castlereagh, a native of Ireland, was prominent in British politics in the years when Henry was writing. It was through his instrumentality that the act of union was passed, for which he was execrated by a large number of his countrymen. In 1805 he was secretary for war and for the colonies. Subsequently in the ministry of foreign affairs, he supported Lord Liverpool, who was always opposed to liberal ideas. In 1812 he was a leading member of the British House of Commons. Sir James Craig was governor-general of Canada, and through him and his secretary, H. W. Ryland, the secret correspondence came about. On the 19th of June, 1811, in the midst of the discontent among the Indians, he left Canada, and died in January, 1812.

PRELIMINARY LETTERS

Between March and April, 1808, Captain Henry wrote six letters, the two latest from Montreal to H. W. Ryland, secretary of Sir James Craig, with whom he had become intimate, and on the 10th of April Craig forwarded the first four to Castlereagh, and it has been claimed that he intimated that Henry was ignorant of the use to which his letters were put at this time. On May 5th the last two letters followed the first four to Castlereagh.

These letters are calendared in Canadian archives. Their contents are made up of remarks on the state of public opinion, clippings from the newspapers sustaining his opinions, with allusions to the diplomatic mission of George Henry Rose, afterwards promoted and knighted, who was sent by the British government to Washington on a special commission respecting the affair of the "Chesapeake" and "Leopard" impressment case, and the close of the negotiations. Canadian historians believe it "impossible to draw even a shadow of wrongdoing from the proceedings."

THE SECRET CORRESPONDENCE

Apparently the object of the secret correspondence which followed was to obtain the most trustworthy information for the use of Sir James Craig and other representatives of Great Britain in this country concerning the internal affairs of the Union, the extent of the disaffection in New England toward the National Government caused by the embargo, which they had magnified to proportions agreeable to their own projects, but of the actual depth to which it had penetrated the body politic they were still in doubt. They desired to know what the policy of the United States would be on the inauguration of James Madison of Virginia, who was President from 1809 to 1817, the effect of the attitude taken by him on the public at large, and especially to gain a knowledge of the certain prospect of war between the United States and Great Britain, if such was imminent.

This mission, at the suggestion of Ryland, Captain Henry accepted and fulfilled, playing with distinction his mischievous part in precipitating the resort to arms by the United States. He was given credentials which authorized him to receive any communications which it was desirable should reach the British government, the correspondence to be carried on in cipher. Ryland's letter in which the proposition was made gave, the correspondent reason to expect as compensation an advantageous position under the British government.

Sir James Craig's instructions, "secret and confidential," the authenticity of which was afterwards vouched for by Ryland in a letter to the Earl of Liverpool, were dated February 6, 1809.

Captain Henry wrote fifteen letters between the 13th of February and the 22d of May, 1809, when he was recalled to Canada. He passed three months in New England in that employment, reporting continually to Craig by letter, stating that according to his judgment the federalists, rather than submit to the continuance of the difficulties and duties to which they were subjected, would exert their influence to bring about a separation from the general Union, and in the event of war would establish a northern confederacy, in which Massachusetts would take the lead, and ally itself with Great Britain. War was not probable. Unfortunately names which might have added weight to the expression of his views were left out.

Although this correspondence came to an end on the 22d day of May, 1809, and Craig did not resign as governor-general of Canada until June, 1811, no evidence can be found that he filed any claim for services, but according to a letter of Ryland from London to Craig, Captain Henry had applied for the vacant office of sheriff of Montreal, but no reference to it was made by Craig in his letter of June 4th, written a week before he left Quebec. Captain Henry was in London in 1810 and 1811, and it is said applied to Lord Liverpool for a position, without result, and after waiting in vain until November, 1811, he offered the entire correspondence to the President of the United States, James Madison, for a sum variously estimated at $10,000 and upwards, which was paid. President Madison sent the papers in a special message to Congress in March, 1812, and they were referred to the committee on foreign affairs, and became the subject of a brief debate in Congress. Henry Clay of Kentucky declared in a speech before that body that there was "no doubt that the Indian tribes on the Wabash had been incited by the British, and what could be thought of an emissary having been sent to stir up civil war?" Publicity was thus given to an alleged attack upon the credit of the federal party which was accused of a design to destroy the Union, of which these papers were supposed to contain the proof, and the sensation produced was made use of to intensify the feeling of enmity towards Great Britain, until the true contents were made known, then the incident was soon closed, as according to the terms of agreement Captain Henry was not to appear before the committee and had sailed in the same month for a permanent residence in France.

On the British side the subject was brought up in the House of Lords, and Lord Liverpool's defense of Sir James Craig was the sum and substance of parliamentary proceedings.

In this atmosphere, thick with internal conflict clouding the dawn of the republic, wherein immoderate expressions of sectional, individual, state and national rights were tempered by the noble ardor of patriotism, and a ray or two of the liberty that has since "enlightened the world," Henry sold his papers, and Madison made the most of them.

The battle of Tippecanoe, which Canadian historians deny was fomented by British influence on the Northwestern Indians, was claimed in the debates of Congress to be the commencement of the War of 1812.

CHAPTER IX

THE WAR OF 1812

THE STATE OF THE NAVY—THE SEA-FIGHT OF TRIPOLI—BATTLE OF LAKE ERIE—BUILDING THE FLEET—THE VESSELS ENGAGED—THE ACTION—THE SURRENDER—THE OPERATIONS OF THE ARMY—AFTER THE WAR—THE ERIE SQUADRON'S SLOW DECLINE—THE TREATY OF GHENT.

The Twelfth Congress of the United States, which met the year eighteen hundred and eleven, in November, declared war against Great Britain on the 18th of the following June, three months after the secret correspondence had been divulged, and the next day a proclamation was issued against a solemn protest by the federalist party, appeals being made to the patriotism of the people. Among the members who were determined upon war were Henry Clay of Kentucky and John C. Calhoun of South Carolina.

The committee on foreign relations at once proposed an arraignment of Great Britain for persevering in the enforcement of the "orders in council," refusing to neutralize the right of trading from one hostile port to another such port until France should abandon her restrictions on the introduction of British goods. France had suspended her decrees, but the grievance of impressment was constantly renewed by Great Britain. The committee recommended the enrollment of the militia, an increase in the number of regiments, and a call for volunteers, and reported resolutions for repairing the navy and for authorizing the arming of merchantmen in self-defense. New frigates were voted, and a loan of $11,000,000. Over one thousand men went out from one small fishing port, that of Marblehead, Mass., to help man the frigates in defense of the seas. Resolves were passed in several of the legislatures, pledging the states to stand by the national government.

THE STATE OF THE NAVY

In the course of the year 1791, was completed the first census, or enumeration of the inhabitants of the United States. They amounted to 3,921,326, of which number 695,655 were slaves.

The revenue, according to the report of the Secretary of the Treasury, amounted to $4,771,000, the exports to about nineteen, and the imports to about twenty millions.

A movement for building a navy having been inaugurated by Congress in 1794, against great opposition, by the passage of an act for building "four forty-fours and two thirty-six's;" in 1798, and the following year, during the administration of President John Adams, it assumed proportions of considerable importance and consisted of "six forty-fours, three thirty-six's, seven thirty-two's, and four fifteen to twenty smaller vessels of war." Its rapid construction compelled the admiration of the great powers, who, unaware of our resources and natural energy, wondered at so sudden a development of naval force. In the words of Samuel L. Knapp, the American editor of an English history of the United States by John Howard Hinton, published in 1846:

"It seemed a dream to all the world, that a navy could rise upon the bosom of the ocean by the power of an infant nation, in so sudden a manner. The fabled pines of Mount Ida, were not formed into ships for the fugitive Trojans more rapidly than the oaks of our pasture-grounds and forests were thrown into naval batteries for the protection of commerce and our national dignity."

Under the act of March 3, 1801, all the ships and other vessels belonging to the navy of the United States were sold, with the exception of thirteen, and those were most of them frigates, yet from this remnant was taken, in the summer of that year a squadron of three frigates and a schooner, to which another was added early in the year following, to subdue the corsairs in the harbor of Tripoli, whose reigning bashaw had declared war against the United States, and blockaded American commerce in the Mediterranean, because of the refusal of the United States to purchase immunity from capture and slavery by the corsairs, from the sovereignties of Morocco and Algiers. The first battle settled the supremacy of the United States over their foreign foes, "showing," it is recorded, "our superiority in naval tactics and gunnery over anything those pirates could produce."

Peace was made on the 3d of June, 1805, on favorable terms. "And then ended," says the historian Knapp, "a war which surprised the nations of Europe. They had often smiled to think the United States, a new-born nation, should be so presumptuous as to suppose that she could put down these predatory hordes, which had exacted tribute from all the commercial world from time immemorial, but it was done, and the lookers-on were astonished at the events as they transpired. The Pope, who had ever been deeply interested in all these pagan wars, or rather, all these wars against pagan powers, declared that the infant nation had done more in five years in checking the insolence of these infidels than all the nations of Europe for ages. The thunders of the Vatican had passed harmlessly over these pirates' heads through more than ten successors of St. Peter, until the United States had brought these infidels to terms by the absolute force of naval power. The head of the church saw that the people of a free nation had felt the degradation of paying tribute, and were determined to do so no longer than they could concentrate their energies, and direct them to bear upon the general foe of Christendom. The whole was indeed a wonder, that a nation that scarcely had risen into the great family of independent powers, should be able to grapple with, and in a measure subdue, these barbarians who had been for so long a time the scourge of mankind. We had not taken one power alone but all, from the Atlantic to the Red Sea. The Doge (of Venice) who had been wedded to the Adriatic, and promised for the dower of his bride the dominion of the seas from the Delta of Egypt to the Straits of Gibraltar, had never in the pride of aristocratic strength claimed the honor of humbling the 'insolent Turk' to the extent that the United States had done in a few years. The aim of liberty, when properly directed, was always deadly to despotism. These exertions gave our flag a rank among the nations of Europe in these classical seas in which so great a proportion of all the sea-fights in the annals of man had taken place, from the early ages of fable and romance to modern times. The corsair, who had been the terror of the world, was now found a furious, but not unconquerable foe, and the barbarians, whose tremendous fierceness had been the tale of wonder in every age, seemed in our mode of warfare less dangerous than the aboriginals we had been contending with from the cradle of our nation."

A SINGULAR PARALLEL

In April, 1917, more than one hundred years after this mission was accomplished, a reluctant nation was persuaded to train its guns once more on the eastern hemisphere in order to hold fast the authority won in that "elder day" to guarantee to every citizen of the United States his rights to "life, liberty, and the pursuit of happiness" according to the Constitution of the United States on land and sea—close in shore, far out where the ocean liners plow their way through deep water, and where inland seas conceal the mine and submarine of the twentieth century pirate.

This inherent force in a navy, so long inactive but now endowed with a century's ripeness, was fully roused to action by the atrocities of an irresponsible engine of destruction sent out in large numbers by the German government to prey upon commerce, and send to the bottom every vessel which dared to venture into its forbidden zones. They were called submarines and "U-boats" (undersea) with a number attached, and types were common to all countries, but in their use by the German navy were far outdoing in rapacity the corsairs of Morocco and Algiers. They, also, had become the "terror of the world," and their barbarity reflected in the halls of Congress, in time, "sparred" the ship of state off on obstructive policy and developed a determined belligerence in an habitually easy-going and peace-loving people. One of these freebooters, more malevolent than others, was an armed sailing ship, which, keeping pace with modern invention, decoyed many passing steamships by means of the distress signal, "S. O. S." (a signal of distress with no words attached) sent to every wireless station, the running up of false colors, and a stream of black smoke pouring out of her side as if on fire. The steamers left their course and hastened to her relief, only to be fired upon by hidden guns and sunk as fast as they appeared. Such dastardly deeds called for the punitive expedition of May, 1917, concerning which the ambassador of the United States in London, Dr. Walter Hines Page, is reported as having observed that "the only previous occasion on which the United States has intervened in war in the Old World, was at the time when they suppressed the Barbary pirates. It is singular that our present errand is so similar to that."

THE BATTLE OF LAKE ERIE

"Oh, for a son of bright-eyed glory,
That sweeping o'er the chorded shell,
Should in sublimest numbers tell
The patriot hero's deathless story."
—*Ode by Samuel Taylor Coleridge.*
OXFORD, June 15, 1814.

Interminable discussions have arisen respecting every particular of this engagement, but only well-established facts are included in this sketch.

When the United States Congress, in the autumn of 1811, authorized the building of new frigates, it became the initial movement in the action which for the first time placed an American squadron in opposition to the British in line of battle. Likewise, it was the first defeat Great Britain had suffered when all her force was either captured or destroyed. British domination was supreme on the Great Lakes, and it appeared to be the purpose of that government to assume control of the vast territory of the west, and divide its dominion from Canada to Mexico with the United States; the Ohio and Mississippi rivers forming a natural boundary. The capture of the far-reaching Territory of Michigan had given them the advantage of the command of Lake Erie, and a strategic position of which it was the United States' design to relieve them. Losses had been sustained on land, but at sea the men whose rights had been violated had gained victories which soothed the wounded pride of the republic, whose navy Great Britain arrogantly boasted would soon be "swept from the ocean," for the War of 1812 was fought wherever the frontiers of the two countries met. It was carried down to the Gulf of Mexico, so as to cut off the United States from the west, on the sea coast all along the Atlantic shore from Maine to Mexico, and on the coast of the gulf, ending at New Orleans. To lay waste the whole American coast, on which they were then waging predatory warfare, from Maine to Georgia, was the avowed intention of the British.

July, 1813, the navy consisted of the war vessels contained in the following list:

Names	Guns
Constitution	44
United States	44
President	44
Macedonian	38
Constellation	36
Congress	36
New York	36
Essex	32
Adams	32
Boston	32
General Pike	32
Madison	28
John Adams	20
Louisiana	20
Alert	18
Argus	18
Hornet	18
Oneida	18
Trouna	
Revenge*	16
Syren	14
Nonsuch	14
Enterprise	14
Carolina	14
Comet*	14
Duke of Gloucester	12
President	12
Patapsco*	12
Isaac Hull	10
Conquest	8
Hamilton	8
Raven	8
Scourge	6
Governor Tompkins	6
Scorpion	6
Growler	5
Fair American	4
Viper	12
Lady of the Lake	3
Pert	3
Julia	2
Elizabeth	2
Ontario	1
Adeline	—
Asp	—
Analostan	—
Despatch	—
Ferret	—
Neptune	—
Perseverance	—
Aetna	bomb
Mary	bomb
Spitfire	bomb
Vengeance	bomb
Vesuvius	bomb

In addition there were a number of revenue cutters and about one hundred and seventy-eight gunboats. The vessels in italics had been captured from the British since the war began, and those with the asterisk were hired by the United States. Of this list the Constitution ("Old Ironsides"), launched at Boston, October 21, 1797, is now out of commission and preserved for exhibition as a relic in the Boston Navy Yard, and the Constellation, launched at Baltimore, Md., September 7, 1797, having been used for years as a training ship at Narragansett Bay naval station, in the State of Rhode Island, was in June, 1913, ordered to the Brooklyn Navy Yard, another of the country's proud possessions, to be equipped for service as an object lesson of illustrious record.

BUILDING THE FLEET

Lieut. Oliver Hazard Perry, then twenty-seven years of age, and living in Washington Square, Newport, R. I., was promoted to the rank of master-commandant, and sent by the navy department in the spring of 1813 to Lake Erie to command the fleet which had been ordered built there. He arrived at the Port of Erie, then known as Presque Isle, on March 27th. This was a trading post established by the French in 1749, as one of the chain of forts which was to unite the Canadas with Louisiana. It was a small village of a few log-houses besides the post, and a tavern, and contained about four hundred and fifty inhabitants.

Perry found at Erie, Capt. David Dobbins, a sailing master in charge of naval affairs on Lake Erie, also a shipwright from New York of the name of Noah Brown, who was building the fleet. Captain Dobbins had suffered the loss of a privately-owned vessel captured by the British. He superintended the building of six vessels for Perry. When the master-commandant arrived two brigs, the "Niagara" and the "Lawrence," were in process of construction at the mouth of Cascade Creek. Their frames were of oak, the decks of pine, the outside planking of oak. They were 110 feet in length, and had a breadth of beam of 29 feet. In the building of these crafts permanency was not considered, for they were built of green timber cut in the forest there for the purpose of gaining that one battle, and if they lost it the vessels would be good enough to surrender.

On the 9th of August, 1813, Lieut. Jesse D. Elliott arrived at Erie with 100 men and was assigned to the "Niagara," and on the 12th the squadron ran the blockade by the British of the Port of Erie, with the object of joining forces with Gen. William Henry Harrison. On the 19th General Harrison and staff, with a number of Indian chiefs, arrived for the purpose of arranging a plan of action between the land and water forces, and it was decided to move upon the enemy as soon as the army was ready.

THE VESSELS AND THEIR EQUIPMENT

J. Fenimore Cooper, the novelist, who had exceptional and superior sources of information, and a personal acquaintance with the principal officers engaged in the battle, in his book, entitled "The Battle of Lake Erie," published in 1843, gives the English official account of the metal of both parties as follows:

ENGLISH SQUADRON

Ship "Detroit"—19 guns, 2 long 24's; 1 long 18 on pivot; 6 long 12's; 8 long 9's; 1 24-pound carronade; 1 18-pound carronade.

Ship "Queen Charlotte"—17 guns, 1 long 12, on pivot; 2 long 9's; 14 24-pound carronades.

Schooner "Lady Prevost"—13 guns, 1 long 9, on pivot; 2 long 6's; 10 12-pound carronades.

Brig "Hunter"—10 guns, 4 long 6's; 2 long 4's; 2 long 2's; 2 12-pound carronades.

Sloop "Little Belt"—3 guns, 1 long 12, on pivot; 2 long 6's.

Schooner "Chippeway"—1 gun, 1 long 9.

Guns 63, metal; total, 851. Average as to guns, 13½ pounds each gun.

AMERICAN SQUADRON

Brig "Lawrence"—20 guns, 2 long 12's; 18 32-pound carronades.

Brig "Niagara"—20 guns, 2 long 12's; 18 32-pound carronades.

Brig "Caledonia"—3 guns, 2 long 24's; 1 32-pound carronade.

Schooner "Ariel"—4 guns, 4 long 12's on pivots.

Schooner "Somers"—2 guns, 1 long 24; 1 32-pound carronade.

Schooner "Porcupine"—1 gun, 1 long 32, pivot.

Schooner "Tigress"—1 gun, 1 long 32, pivot.

Schooner "Scorpion"—2 guns, 1 long 32, 1 24-pound carronade on pivots.

Sloop "Trippe"—1 gun, 1 long 24, pivot.

Guns 54, metal; total, 1,480. Average as to guns, 27½ pounds each gun; or about double that of the British.

"Such," writes Cooper, "is Captain (Robert H.) Barclay's account of the force. That he has not diminished his own is probable, as he has certainly not exaggerated the American. The 'Trippe' had a long 32, instead of the 24 he has given her, while the 'Scorpion' is believed to have had a long 24 and a 32-pound carronade. The remainder of the American metal is thought to be correctly given. * * * An officer of great experience, one friendly to Perry, who had seen much service in battle, visited the squadron on Lake Erie and Lake Champlain, before they were separated, and he told me that he thought the 'Lawrence' and 'Niagara,' could they have got within effective distance immediately, sufficient to have defeated all of Barclay's force united, especially with a stiff breeze."

OFFICERS OF THE OPPOSING FLEETS

The commodore of the British fleet was Sir James Lucas Yeo, and of the American fleet Isaac Chauncey, but there were no officers of that rank at the battle of Lake Erie. There were two commodores on the side of the British, Capt. R. H. Barclay and Capt. R. Finnis, opposed to two commanders on the American side, Lieut. O. H. Perry and Lieut. J. D. Elliott.

Master-Commandant Oliver H. Perry was in command of the American squadron. The other officers were:

Brig "Lawrence" (flagship)—Lieut. John J. Yarnall.
Brig "Niagara"—Master-Commandant Jesse D. Elliott.
Brig "Caledonia"—Lieut. Daniel Turner.
Schooner "Ariel"—Lieut. John H. Packett.
Schooner "Tigress"—Lieut. Augustus H. N. Conckling.
Sloop "Trippe"—Lieut. Thomas Holdup.
Schooner "Porcupine"—Midshipman George Senate.
Schooner "Scorpion"—Sailing-Master Stephen Champlin, who fired the first American shot.
Schooner "Somers"—Sailing-Master Thomas C. Almy.

The "Ohio," Capt. Daniel Dobbins, was not in the battle, having been sent to Erie for provisions and supplies, and was at Erie during the action.

Capt. Robert Heriot Barclay, thirty-six years of age, commanding the British squadron, had fought with Nelson at Trafalgar, had lost one arm fighting the French, and was destined to lose the other in this battle.

THE ACTION

(From the American Point of View)

The date of the battle is September 10, 1813. Perry, in his report, calls it a three hours' engagement. It was a cloudless autumn day with a light breeze blowing and a smooth sea. The ships of the British squadron had been freshly painted in the harbor of Malden, and presented a gallant appearance as they swung into action, flying the red cross of St. George at the masthead.

At 11:45 A. M. the squadrons were a mile apart. The "Detroit" fired a 24-pounder, the shot passing beyond the "Lawrence." At 12:15 Perry made sail with the "Lawrence," the "Ariel" and the "Scorpion," to get at close quarters and to engage the "Detroit," the "Hunter," the "Queen Charlotte" and the "Lady Prevost." There were but seven guns of long range on the American vessels to thirty-one on the British vessels. Perry's guns were of heavy calibre, Barclay's were of longer range. The roar of the guns was heard at Erie.

The total number of men and boys engaged on the American side, according to the roll that drew prize money, was 532; of these 432 were on deck, one-fourth being regular naval seamen. The official report of the British shows that they had 450 men on deck, 150 of whom were picked men from the British navy, and 240 soldiers from the Forty-first Regiment of the Line and the Newfoundland Rangers.

At 2:30 the "Lawrence," the "Ariel" and the "Scorpion" had been in action two hours and forty-five minutes.

A broadside from the enemy carried away the bowsprit and masts of the "Lawrence," riddled her hull and silenced her guns. Perry transferred his colors to the "Niagara," crossing the half-mile of intervening space in a small boat under a heavy fire, continued his firing from her decks, and signaling his fleet for close action, opened a cross fire upon the British flagship, which example was followed by the rest of the American squadron.

At 2:45 the British squadron's line was broken. According to John Chapman, a gunner on the "Queen Charlotte," by the carrying away of one of her sails she was at the mercy of the wind, and ran afoul of the "Detroit," becoming entangled with her. It is certain that the "Niagara" ran across the bow and stern of the two British ships, raking them fore and aft with her starboard broadside, and continuing her course, poured raking fires into the "Lady Prevost" and the "Hunter" with her port battery, and the remaining vessels of the American squadron followed his lead upon their British opponents for eight minutes.

At 3 P. M., or fifteen minutes from the time the wind was fair for the attack, an officer appeared on the taffrail of the "Hunter," waving a white handkerchief as a signal of surrender. The "Chippeway" and the "Little Belt" crowded on every inch of canvas in the endeavor to escape, but were overhauled by the "Trippe" and the "Scorpion."

(From the British Point of View)

The sources of information for the observations which follow are the letters of Lieut. Gen. Sir George Prevost, headquarters at Montreal, from whence dispatches containing reports were transmitted to Downing Street, London. Captain Barclay thus describes the opening of the battle from the time he perceived the American fleet in motion in Put-in Bay:

"The wind, then at southwest and light, giving us the weather-gage, I bore up for them, in hopes of bringing them into action among the islands, but that intention was soon frustrated by the wind suddenly shifting to the southeast, which brought the enemy directly to windward. The line was formed according to a given plan, so that each ship might be supported against the superior force of the two brigs opposed to them. About 10 the enemy had cleared the islands, and immediately bore up, under easy sail, in a line abreast, each brig being also supported by the small vessels. At 11:45 I commenced the action by firing a few long guns; about 12:15 the American commodore (reference to Perry), also supported by two schooners, one carrying four long 12-pounders, the other a long 32 and 24 pounder, came to close action with the 'Detroit'; the other brig of the enemy, apparently destined to engage the 'Queen Charlotte,' supported in like manner by two schooners, kept so far to windward as to render the 'Queen Charlotte's' 24-pound carronades useless, while she was, with the 'Lady Prevost,' exposed to the heavy and destructive fire of the 'Caledonia' and four other schooners armed with long and heavy guns like those I have already described. * * * The action continued with great fury until 2:30, when I perceived my opponent drop astern, and a boat passing from him to the 'Niagara,' which vessel was at this time perfectly fresh. The American commander bore up, and supported by his small vessels, passed within pistol-shot, and took a raking position on our bow; nor could I prevent it, as the unfortunate situation of the 'Queen Charlotte' prevented us from wearing; in attempting it we fell on board her. My gallant First Lieutenant Garland (J. Garland) was now mortally wounded, and myself so severely that I was obliged to quit the deck. * * * Never in any action was the loss (of officers) more severe; every officer commanding vessels, and their seconds, were either killed or wounded so severely as to leave the deck. The weather-gage gave the enemy a prodigious advantage, and enabled him to choose both his position and distance; so that his long guns did great execution, while the carronades of the 'Queen Charlotte' and 'Lady Prevost' were prevented having much effect."

In a letter of the officer who took command of the "Detroit" on Captain Barclay's being wounded, he describes the deplorable situation of that ship, which "was unmanageable, every brace cut away, the mizzen topmast and gaff down, all the other masts badly wounded, not a stay left forward, hull shattered very much, a number of guns disabled, and the enemy's squadron raking both ships ahead and astern, and the squadron not in a situation to support; in consequence of which the 'Detroit' struck; the 'Queen Charlotte' having previously done so."

THE SURRENDER

The defeated officers were received by Perry on the deck of the "Lawrence," to which his colors had been returned when the fleet ceased firing. It was at the close of this battle, in the first flush of victory, that Perry sent by Midshipman Dulany Forrest of the "Lawrence" the penciled dispatch to General Harrison: "We have met the enemy, and they are ours. Two ships, two brigs, one schooner and one sloop," and to the secretary of the navy, William Jones of Pennsylvania, the following:

"It has pleased the Almighty to give to the arms of the United States a signal victory over their enemies on the lake. The British squadron, consisting of two ships, two brigs, a schooner and a sloop, have this moment surrendered to the forces under my command, after sharp conflict."

At 9 o'clock the United States fleet rendezvoused at Put-in-Bay, north and west of what is now the City of Sandusky, Ohio, on the west border of Lake Erie, which was one of the best harbors on the lake. The captured ships were valued at $225,000, and the victory established the supremacy of the United States on the lake, and by co-operation with General Harrison the release of Michigan from British occupation.

> "'Twas a victory—yes; but it cost us dear;
> For that company's roll, when called at night,
> Of a hundred men who went into the fight,
> Numbered but twenty that answered 'Here!'"
> —*Nathaniel Graham Shepard, "Roll Call."*

The loss to the United States in the battle of Lake Erie was twenty-seven dead, ninety-six wounded; of which number twenty-one were killed and sixty-two wounded on board the "Lawrence," whose whole complement of able-bodied men before the action was about one hundred.

The total loss to the British was three officers, thirty-eight men killed, nine officers, eighty-five men wounded. Among the killed was Capt. R. Finnis of the "Queen Charlotte," who fell soon after the commencement of the action, "and with him," reports Captain Barclay—with both arms gone he could not have written—"fell my greatest support."

The "Lawrence" carried the wounded of both fleets to Erie. The dead on board the vessels of both squadrons, with the exception of five officers, were buried at sea. Each form was sewed in a canvas shroud, with a cannonball for weight, and at the rising of the moon on a clear September evening, they were lowered over the side, describing circles as they sank slowly out of sight in the clear water.

The British, with Tecumseh as ally, were at Malden with 5,000 men, ready to cross the frontier, and September 23d Perry conveyed 1,200 troops up the lake and took possession of Malden. When the army in co-operation with the fleet reached that point, they found the fort had been evacuated by the British, and Tecumseh's Indians, who had retreated along the Thames River—which flows between Lake Huron and Lake Erie, discharging into Lake St. Clair—and Harrison followed in pursuit.

On the 27th Perry reoccupied Detroit in conjunction with the army, and on the 2d of October Master-Commandant Elliott ascended the Thames River with the "Scorpion," the "Porcupine" and the "Tigress." On the 5th the battle of the Thames River was fought, with Harrison, who had been promoted to major general, in command. The allied British and Indians were defeated, and Tecumseh was killed. The battlefield was near the site of the present city of Chatham, Ont. The British loss was nineteen regulars killed and fifty wounded, and about six hundred prisoners. The American loss in killed and wounded amounted to upwards of fifty. General Harrison died in the Executive Mansion at Washington, April 4, 1841, after an illness of eight days, at the close of a month's administration as President of the United States.

AFTER THE WAR

American territory having been recovered, Perry's fleet rendezvoused at Erie, and the "Lawrence," the "Niagara," the "Ariel," the "Caledonia" and "Scorpion" were at the conclusion of the war dismantled and laid up in Erie and all subsequently condemned and sold. The colors of the British "Detroit," "Lady Prevost," "Hunter," "Little Belt" and "Chippeway" were sent to the Naval Institute Building at Annapolis.

Master-Commandant Perry was promoted captain, his commission bearing date of the victory, and reaching him on the 29th of November, 1813. He continued in active service until his death of fever in 1819, at the age of thirty-four.

COLUMBIA THE GEM OF THE OCEAN

The United States, in the War of 1812, had only twenty ships equipped for warfare on the open sea, and of these three were antiquated, while England had between six and seven hundred armed vessels, many of them line-of-battle ships, of which the American navy was entirely destitute. It was Britain's proud boast that she not only "swept the surface of the vast Atlantic," but was "mistress of the seas;" yet when the opportunity came to prove it in this war her great ships had not men enough to work them or their guns. Out of fifteen sea combats with very nearly equal forces the United States was victorious in twelve, and more than five hundred prizes were made by the Americans during the first seven months of the war. In the War of 1812, as in the recent war with Spain, American gunnery showed its superiority. Sir Howard Douglas, in his "Treatise on Gunnery," thus gives his reasons for British failure: "The danger of resting satisfied with superiority over a system so defective as that of our former opponents has been made sufficiently evident. We became too confident by being feebly opposed; then slack in warlike exercise, by not being opposed at all; and lastly, in many cases inexpert for want of drill practice, and herein consisted the great disadvantage under which, without suspecting it, we entered in 1812 with too great confidence into a war with a marine much more expert than that of any of our European enemies."

It was not for any special regard for the United States that Napoleon parted with Louisiana, but after it had passed out of his hands, this was what he realized that he had done: "I have given," he said, "to England a maritime rival that will sooner or later humble her pride."

At least the outcome of the war was sufficiently convincing, for as President Woodrow Wilson says in his work, entitled "History of the American People": "The war, itself, was no doubt sufficient guarantee that another for a like purpose would never be necessary."

It was Britannia's ambition to "rule the waves," but Columbia became the "gem of the ocean."

THE TREATY OF PEACE

Early in the year 1814, the British government had indicated to the United States its willingness to end the war, which was costing the empire, it was estimated, ten million pounds sterling a year, with no perceptible gain. The "orders in council" had been repealed five days after war was declared. In the three years' conflict, by the assertion of our rights on the high seas, our sailors had been freed from impressment, which had lasted more than twenty years, and the situation resolved itself into the defining of boundaries and the terms of peace greatly to be desired on both sides.

Among the most salutary results of the war were the recognition by the world of the rights of the United States on the ocean and on the American continent, and owing to the necessity of doing without foreign importation, the introduction into this country of the power loom in order to supply the increasing demand for the manufacture of cotton and woolen goods.

The treaty of peace was signed on Christmas eve, 1814, and two weeks after this important event, of which the country was as yet unaware, had taken place in Belgium, the War of 1812 was closed by a battle in the South. There the British sent Maj. Gen. Sir Edward M. Pakenham, brother-in-law of the Duke of Wellington, with 12,000 men, veterans for the most part from the battlefield of Spain, to take New Orleans, and on the 8th of January, 1815, the American general, Andrew Jackson, received him at an entrenched line, which had been thrown up across a strip of land below the city, and repelled him, sending him back with a loss of 2,500 men. General Pakenham was killed. The American loss was eight killed and thirteen wounded.

"Now fling them out to the breeze,—
Shamrock, thistle and rose,—
And the star-spangled banner unfurl with these,
A message to friends and foes,
Wherever the sails of peace are seen and
Wherever the war wind blows."
—*Alfred Austin, "To America."*

THE ERIE SQUADRON'S SLOW DECLINE

The brig "Niagara" was never sunk, but simply settled in the mud. July 20, 1820, Commander D. Deacon reported to the navy department from the Erie station: "Heretofore the seamen and marines have been quartered on the brig 'Niagara,' but she has become so rotten and leaky in her upper works and decks that I have been obliged to prepare a large workshop in the navy yard for their accommodation. * * * I have hauled the brig into the basin and moored her to the shore. She is so rotten that it will be impossible to caulk her for sinking."

November 23, 1823, Master-Commandant George Budd reported: "The 'Niagara' lies in the little bay, beached; she lies in about four feet water. She is rotten and in a complete state of decay, totally unfit to be repaired. I would suggest the propriety of tearing her to pieces."

This was not done, for in the reports of the secretary of the navy for 1824, and 1825, both the "Niagara" and "Lawrence" are mentioned as much decayed and sunk in the mud, and it is recommended that they be broken up or sold. They were sold August 6, 1835, at Erie.

The "Lawrence" and "Niagara" both settled in Misery Bay, an arm of Presque Isle Bay, Erie harbor, the uppermost part of the "Lawrence" only two or three feet below the surface of the water. It was so near the surface that pieces were sawed off and made into souvenirs. The "Niagara" was six or seven feet below the surface.

Thirty-five years after the last date given in the Government reports for the sale of the "Niagara" and "Lawrence," Leander Dobbins, son of Captain Dobbins, is known to have had an ownership in the "Lawrence," which seems to have claimed more public interest at that time as Perry's headquarters during the battle; Perry, according to the detailed reports of both combatants, not having been more than a half hour on the "Niagara," and yet it is to her guns and the change of the wind in her sails to southeast that we owe the turn of the tide from defeat to victory.

In 1876, the "Lawrence" was raised by Leander Dobbins and Thomas J. Viers of Erie, and taken to the Centennial Exposition at Philadelphia, where it was housed, put on exhibition and entirely destroyed by fire.

In the winter of 1912-13, amid snow and ice, the "Niagara" was lifted from Misery Bay, rebuilt and rerigged for exhibition at the celebration of the centennial of the battle of Lake Erie. It was launched June 7, 1913, and towed across the bay about 1½ miles, where it was moored at the foot of Sassafras Street in the city of Erie. An eye-witness says: "The ribs seemed to be in a good state of preservation, and were used in the rebuilt vessel. Some of the inside planking of the original Niagara was also used. Under the deck floor all around the vessel the original planks were used, three in width, each about twelve inches wide."

On the Fourth of July, 1913, the celebration of the centennial of Perry's victory, the commemoration of 100 years of peace between the two English-speaking nations, and the campaign of Gen. William Henry Harrison, was opened in Put-in-Bay by the firing of a salute at dawn. The graves of the officers, both British and American, who are buried on the island were decorated with flowers, and the cornerstone of a monument to be erected there was laid by the Grand Lodge of Ohio Masons. Addresses were made by Col. Henry Watterson of the Louisville (Ky.) Courier-Journal and by ex-Senator John M. Whitehead of Wisconsin. Referring to the dying words of another naval hero, for whom the "Lawrence" was named, which Perry nailed to his masthead, Colonel Watterson, at the close of his peroration, proposed the following sentiment: "On land and sea, in glory and in peril, whenever the republic rides the waves too proudly, or is threatened by foes within or without, let us take them as a message from heaven and pass them on to our neighbors and teach them to our children, 'Don't give up the ship.'"

SONGS OF THE ALLIES

It is well known that the "Star-Spangled Banner," now translated into French and sung in the French trenches and wherever the Marseillaise is sung, was an incident of the War of 1812, written during the Battle of Fort McHenry.

THE STAR-SPANGLED BANNER

Words by Francis Scott Key (1780-1848). Music by John Stafford Smith (1750-1836).

Oh! say, can you see by the dawn's early light,
What so proudly we hailed at the twilight's last gleaming?
Whose broad stripes and bright stars, through the perilous fight,
O'er the ramparts we watched, were so gallantly streaming?
And the rockets' red glare, the bombs bursting in air,
Gave proof through the night that our flag was still there.
Oh! say, does that star-spangled banner yet wave,
O'er the land of the free, and the home of the brave?

On the shore, dimly seen through the mists of the deep,
Where the foe's haughty host in dread silence reposes,
What is that which the breeze o'er the towering steep,
As it fitfully blows, half conceals, half discloses?
Now it catches the gleam of the morning's first beam,
In full glory reflected, now shines on the stream;
'Tis the star-spangled banner, Oh, long may it wave
O'er the land of the free, and the home of the brave.

Oh! thus be it ever when free men shall stand
Between their loved homes and the war's desolation;
Blest with victory and peace, may the heaven-rescued land
Praise the Power that hath made and preserved us a nation!
Then conquer we must, when our cause it is just,
And this be our motto, "In God is our trust!"
And the star-spangled banner in triumph shall wave
O'er the land of the free, and the home of the brave!

THE MARSEILLAISE

[Translated from the French]

Words and music by Rouget de L'isle.

Ye sons of France, awake to glory,
The sun of victory soon will rise;
Though the tyrant's standard all gory
Is upreared in pride to the skies,
Is upreared in pride to the skies!
Do ye not hear in every village
Fierce soldiers who spread war's alarms?
Who even in our sheltering arms
Slay our sons and give our homes to pillage!

And would that horde of slavish minions
Conspire our freedom to o'erthrow?
Say for whom those gyves were intended
Which their craft prepared long ago,
Which their craft prepared long ago?
What righteous rage now should excite us?
For Frenchmen what shame is so great?
They even dare to meditate—
To enslave, but thus they'll unite us!

Chorus

To arms,—ye brave, to arms!
We'll form battalions strong!
March on! March on! Their blood impure
Shall bathe our thresholds soon!

TREATY OF PEACE AND AMITY—TREATY OF GHENT

"Concluded at Ghent, December 24, 1814; ratification advised by the Senate, February 16, 1815; ratified by the President, February 17, 1815; ratifications exchanged, February 17, 1815; proclaimed February 18, 1815."

This treaty was composed of a preamble and eleven articles. Five of these articles, relating to boundaries, were left to the decision of commissioners, who disagreed, and they were finally determined by the convention of August 9, 1842, which concluded the Webster-Ashburton Treaty—Daniel Webster, Secretary of State, for the United States, and Alexander, Lord Ashburton, Her Majesty's Minister Plenipotentiary to the United States.

The remaining articles were on the declaration of peace, the cessation of hostilities, the release of prisoners, cessation of hostilities with Indians, abolition of the slave trade, and ratification.

The preamble sets forth that:

"His Britannic Majesty and the United States of America, desirous of terminating the war, which has unhappily subsisted between the two countries, and of restoring, upon principles of perfect reciprocity, peace, friendship and good understanding between them, have for that purpose, appointed these respective plenipotentiaries, that is to say:

"His Britannic Majesty, on his part, has appointed the Rt. Hon. James Lord Gambier, late admiral of the White, now admiral of the Red Squadron of His Majesty's fleet; Henry Goulburn, Esq., a member of the Imperial Parliament, and under secretary of state, and William Adams, Esq., doctor of civil laws; and the President of the United States, by and with the advice and consent of the Senate thereof, has appointed John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell and Albert Gallatin, citizens of the United States, who, after a reciprocal communication of their respective full powers, have agreed upon the following articles:

ARTICLE I

"There shall be a firm and universal peace between His Britannic Majesty and the United States, and between their respective countries, territories, cities,

Benjamin Harrison

William McKinley

Theodore Roosevelt

William H. Taft

Woodrow Wilson

PRESIDENTS OF THE UNITED STATES FROM 1889 TO THE PRESENT, 1918, WITH THE EXCEPTION OF CLEVELAND FROM 1893 TO 1897 (In preceding group)

towns and people, of every degree, without exception of places or persons. All hostilities, both by sea and land, shall cease as soon as this treaty shall have been ratified by both parties, as hereinafter mentioned. All territory, places and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction or carrying away any of the artillery or other property originally captured in the said forts or places, and which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property. And all archives, records, deeds and papers, either of a public nature or belonging to private persons, which in the course of the war may have fallen into the hands of the officers of either party, shall be, as far as may be practicable forthwith restored and delivered to the proper authorities and persons to whom they respectively belong. Such of the islands in the Bay of Passamaquoddy as are claimed by both parties shall remain in the possession of the party in whose occupation they may be at the time of the exchange of the ratifications of this treaty, until the decision respecting the title to the said islands shall have been made in conformity with the fourth article of this treaty. No disposition made by this treaty as to such possession of the islands and territories claimed by both parties shall in any manner whatever be construed to affect the right of either.

ARTICLE II

"Immediately after the ratification of this treaty by both parties, as hereinafter mentioned, orders shall be sent to the armies, squadrons, officers, subjects and citizens of the two powers to cease from all hostilities. And to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea after the said ratifications of this treaty, it is reciprocally agreed that all vessels and effects which may be taken after the space of twelve days from the said ratifications, upon all parts of the coast of North America from the latitude of twenty-three degrees north to the latitude of fifty degrees north, and as far eastward in the Atlantic Ocean as the thirty-sixth degree of west longitude from the meridian of Greenwich, shall be restored on each side; that the time shall be thirty days in all other parts of the Atlantic Ocean north of the equinoctial line or equator, and the same time for the British and Irish channels, for the Gulf of Mexico and all parts of the West Indies; forty days for the North seas, for the Baltic and for all parts of the Mediterranean; sixty days for the Atlantic Ocean south of the equator, as far as the latitude of the Cape of Good Hope; ninety days for every other part of the world south of the equator, and 120 days for all other parts of the world without exception.

ARTICLE III

"All prisoners of war taken on either side, as well by land as by sea, shall be restored as soon as practicable after the ratifications of this treaty, as hereinafter mentioned, on their paying the debts which they have contracted during their captivity. The two contracting parties respectively engage to discharge in specie the advances which may have been made by the other for the sustenance and maintenance of such prisoners.

ARTICLE IX

"The United States of America engage to put an end, immediately after the ratifications of the present treaty, to hostilities with all the tribes or nations of Indians with whom they may be at war at the time of such ratifications, and forthwith to restore to such tribes or nations, respectively, all the possessions, rights and privileges which they may have enjoyed or been entitled to in 1811, previous to such hostilities; provided always that such tribes or nations shall agree to desist from all hostilities against the United States of America, their citizens and subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly. And His Britannic Majesty engages on his part to put an end, immediately after the ratifications of the present treaty, to hostilities with all the tribes or nations of Indians with whom he may be at war at the time of such ratifications, and forthwith to restore to such tribes or nations, respectively, all the possessions, rights and privileges which they may have enjoyed or been entitled to in 1811, previous to such hostilities. Provided always that such tribes or nations shall agree to desist from all hostilities against His Britannic Majesty, and his subjects, upon the ratifications of the present treaty being notified to such tribes or nations, and shall so desist accordingly."

Relative to the African slave trade Article X has the following:

"Whereas, the traffic in slaves is irreconcilable with the principles of humanity and justice, and whereas, both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object."

The question assumed a more practical form in Article VIII of the Webster-Ashburton Treaty, which reads as follows:

"The parties mutually stipulate that each shall prepare, equip and maintain in service on the coast of Africa a sufficient and adequate squadron or naval force of vessels of suitable numbers and descriptions, to carry in all not less than eighty guns, to enforce, separately and respectively, the laws, rights and obligations of each of the two countries for the suppression of the slave trade, the said squadrons to be independent of each other, but the two governments stipulating, nevertheless, to give such orders to the officers commanding their respective forces as shall enable them most effectively to act in concert and co-operation upon mutual consultation, as exigencies may arise, for the attainment of the true object of this article, copies of all such orders to be communicated by each Government to the other respectively."

Articles relating to the suppression of this traffic have been incorporated in the treaties with Great Britain of 1862, 1863, 1870 and 1890, the last named calling a convention at Brussels of all the great powers, "In the name of God Almighty."

The Treaty of Ghent closes with the following article:

ARTICLE XI

"This treaty, when the same shall have been ratified on both sides, without alteration by either of the contracting parties, and the ratifications mutually exchanged, shall be binding on both parties, and the ratifications shall be exchanged at Washington, in the space of four months from this day, or sooner if practicable. In faith whereof we, the respective plenipotentiaries, have signed this treaty, and have thereunto affixed our seals. Done, in triplicate, at Ghent, the 24th day of December, 1814."

Signed: Gambier, Henry Goulburn, William Adams, John Quincy Adams. J. A. Bayard, H. Clay, Jonathan Russell, Albert Gallatin.

THE ABOLITION OF SLAVERY

Slavery had become a menace to the free people of the South, and the desire for its abolition early became manifest, the leading spirits among real lovers of mankind, both North and South, becoming outspoken in its favor. As early as 1760, the Quakers (more properly the Society of Friends) made the traffic a matter of church discipline. Previous to 1774, both Virginia and Massachusetts had taken action looking to abolition, and Benjamin Franklin was president of the first society established for the promotion of the abolition of slavery, in 1775. In 1777, Vermont adopted the constitution abolishing slavery, Massachusetts adopted a like constitution in 1780, and New Hampshire in 1783.

Gradual abolition was secured in Pennsylvania in 1780, in Rhode Island and Connecticut in 1784, in New York in 1799, and in New Jersey in 1804. The ordinance of 1787 made the states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and part of Minnesota, free. Congress passed an act in 1807, the year slavery was abolished in Great Britain, to take effect January 1, 1808, abolishing the slave trade. Slavery was abolished in Iowa, Oregon, Kansas, Nebraska, and parts of Colorado and Minnesota, by the Missouri Compromise (1821), rejected by the Dred Scott decision (1856), but embodied in the constitutions of these states when admitted into the Union. When this compromise was adopted, February 27, 1821, the discussion preceding the adoption was exceedingly bitter, accompanied by threats of bloodshed and secession participated in by representatives from Georgia, Mississippi, Kentucky and Virginia; none being more bitter than the remarks of Representative Robert R. Reid and Thomas W. Cobb, of Georgia. The best illustration of the southern mind of that period, may be found in the speech of Robert Toombs, of Georgia, in the United States Senate, January 7, 1861, who did not occupy his seat in the Senate after February 4, 1861. He was formally expelled March 14, 1861.

Much of the discussion in relation to the Missouri Compromise was in committee of the whole, and no record is available of the remarks. This is especially true of the remarks of Mr. Cobb to one of the Georgia members, that "a fire has been kindled which will require seas of blood to put out," and time has shown that it was quenched by the blood shed in the Civil war.

EXTRACT FROM REID'S SPEECH, FEBRUARY, 1821

"But let gentlemen beware! Assume the Mississippi as the boundary, say, to the smiling coteaux beyond its waters, no slave shall approach, and you give a new character to its inhabitants totally distinct from that which shall belong to the people thronging on the east of your limits. You implant diversity of pursuit, hostility of feeling, envy, hatred, and bitter reproaches. * * * Sir, the firebrand, which is now cast into your society, will require blood, and the blood of free men for its quenching. Your Union shall tremble as under the force of an earthquake. While you incautiously pull down a constitutional barrier, you make way for the dark and tumultuous and overwhelming waters of desolation. If you sow the winds, you must reap the whirlwind."

After 1821, there were forty years of bitter discussion in Congress, which had its legitimate ending in the final abolition of slavery.

LUNDY, GARRISON AND THE "LIBERATOR"

The antislavery movement headed by William Lloyd Garrison, who had been associated in Baltimore with Benjamin Lundy, the earliest promoter of freedom to the slave in the United States, began to exert its force, and in 1832, the New England Antislavery Society was formed. On December 6, 1847, Abraham Lincoln took his seat in the Thirtieth Congress as a member from the state of Illinois, and began his work for the emancipation of slaves in the District of Columbia, which was consummated in 1862, and recognized the two principles of colonization and compensation. In 1865, their work having been accomplished, Garrison's great paper, the Liberator, and the emancipation societies for which it was the voice, ceased to exist.

Slavery was finally abolished from all the territory of the United States by the proclamation of President Abraham Lincoln, January 1, 1863, and the ratification of the Fourteenth and Fifteenth Amendments to the Constitution by the several states as proposed by Congress; the Fifteenth Amendment being proposed to the legislatures by the Fortieth Congress on February 27, 1869, and declared in a proclamation of the Secretary of State, dated March 30, 1870, to have been ratified by the constitutional number of states and to have become valid, to all intents and purposes, as part of the Constitution of the United States.

COLONIZATION OF THE BLACKS

President Thomas Jefferson, ardently opposed to slavery, in 1801 took an active interest in the colonization of the free blacks, and in 1816, the National Colonization Society, heartily encouraged by the leading spirits of the South and the Virginia Legislature of that year, was organized, and resulted in the Republic of Liberia, in Africa.

SLAVERY

In concluding, some general facts in relation to slavery may be of interest. The first attempt to establish a trading post in the Dakotas (1726) was for the purpose of securing slaves by the purchase of captives from warring tribes or by kidnapping for supplying the market in the West Indies, following the precedents established in Africa.

Pierre Bonga, one of Henry's Brigade, which instituted the first permanent settlement in Dakota Territory, was a slave brought from the West Indies. York, Captain Clark's slave, was the most attractive feature in the Lewis & Clark

Expedition. Both left descendents in North Dakota. Other slaves were brought into the Dakotas by army officers. John Tanner, the white captive, was a slave among the Indians and sold as such from time to time, and there was some traffic in captives sold as slaves by the Indians. The system of contracts with the voyageurs resulted in virtual slavery in many cases through the system of fines and advances made by the fur companies.

The creation of the Territory of Dakota was made possible in 1861 by the withdrawal of the representatives from the slave-holding states from Congress.

Prior to A. D. 1441 slavery, which had existed in some form from the beginning of human history, had generally been confined to captives in war. Tribes and even nations were subjugated or carried away captive. Such was the case with the Israelites, who, in their distress, "hung their harps on the willows and sat down by the rivers of Babylon and wept." The time they were carried away into Egypt was recognized as an epoch from which time was reckoned. Captives were generally put on public works. The temple at Jerusalem was builded by captives and their children. Captivity was recognized by the prophets as the just reward of iniquity; unfortunates were sometimes sold into captivity for crime or debt, but not on account of color.

In A. D. 1441 two captains of vessels sailing under the flag of Portugal seized a number of Moors who were taken to Portugal, but were allowed to ransom themselves, and in doing so included ten black slaves in the price paid. In 1445 four negroes were made captive and taken to Portugal, and in 1448 a factory or trading post was established on the small island Arguin, from which several hundred black people, taken captive in tribal wars or kidnapped, were obtained by their agents and sent to Portugal each year, while slaves secured by other traders were taken to Tunis and Sicily.

In 1492 the trade of the Portugal company had fallen to 300, but the discovery of America added a new impetus to the trade in human beings, in which Columbus took an active part, the Spanish having engaged in the trade, sending large numbers of Indians to Spain and to the West Indies. Preference, however, was given to the negro slaves, regarded more valuable than the Indians in a ratio of four to one.

In 1500 Gasper Cortereal, in the service of the King of Portugal, seized fifty natives on the coast of Labrador, carried them to Portugal and sold them as slaves. Returning the next year for more captives he is supposed to have been lost at sea.

In 1520 Lucas Vasquez de Ayllon, a Spanish explorer, enticed a large number of Indians from the coast of South Carolina on board his ships and sailed away with them as captives. Two of his vessels were lost at sea and most of the remaining captives died. He returned five years later when he met with fierce opposition by the natives. His best ship ran aground and most of the crew were killed by the Indians.

Giovanni da Verrazzano, who visited the coast in 1524, kidnapped an Indian boy and carried him away to France. He tried to capture an eighteen-year-old girl, but she made such an outcry they feared to accomplish this purpose, being some distance from their vessel.

In 1589 De Soto, lured into the forest in a search for gold and populous and wealthy villages, forced his captives to carry supplies on his long marches, striking terror into the hearts of the Indians visited by his extreme cruelty. At the battle of Mobile, where he suffered so severely, his captives were released by the enemy and joined in a battle which nearly ruined his expedition.

The first negro slaves were landed in England in 1553, and in 1562 that country engaged in the slave traffic. Sir John Hawkins is credited with beginning the traffic, Queen Elizabeth being a sharer in the profits. Four English companies were chartered for the slave trade, Charles II and James II being members of the fourth company, with the Duke of York and James II at the head. Later the Royal African Company received aid from Parliament, their companies furnishing slaves to America, and in 1713 the privilege of supplying them to the Spanish colonies was secured to the English for thirty years, during which period 144,000 were supplied under their contract.

The French and Dutch were also engaged in this traffic. In 1605 George Weymouth, an English kidnapper, made a trip to the Maine coast for the purpose of trade and captured and carried to England five Indians whom he gave to his friends as slaves.

In 1619 a Dutch man-o'-war sold twenty negroes to the colony at Jamestown, but they were carried on the roll as servants, and probably treated the same as the white indentured servants who constituted a considerable portion of the colony. The same year the King sent over 100 convicts from English prisons, to be sold as servants to the colonists, and this system was pursued for many years against the protests of the people of the colony.

In 1624-5 there were in the colony thirty-three Africans who were listed as servants. The first servant for life in this colony, of which there is any definite account, was John Punch, a negro. He had run away with two white servants. They were all caught. The period of servitude of the whites was extended four years as punishment, but John Punch was sentenced to servitude for life. Slavery was made hereditary by law in Virginia in 1662, when it was provided that the issue from the mother should follow her condition of servitude.

Slavery had existed in the English settlements in the Carolinas from the beginning of the life of these colonies, and in 1672 Sir John Yeomans, governor of South Carolina, brought several negro slaves from the Barbadoes. Slavery prevailed in all of the colonies, and all of them made a practice of buying and selling captives taken in war with the Indians. Those for whom there was a market were sent to the West Indies and the others parceled out among the colonists for such use as they were fitted.

The Carolinas in 1702-1708 sent three expeditions against the Indians warring against them and almost the entire population of seven large villages were made captive and sold as slaves. It was a common practice to kidnap the children of the Tuscaroras and sell them into slavery, and this was the cause of the Tuscarora war of 1711-13, as given in detail in Chapter I.

So common had been the practice of sending Indians to Pennsylvania to be sold as slaves that the provincial council of that colony in 1705 enacted that "Whereas the importation of Indian slaves from Carolina or other places hath been observed to give the Indians of this province some umbrage for suspicion and dissatisfaction, such importation be prohibited March 25, 1706."

June 7, 1712, an act was passed by this council forbidding the importation of Indians for slaves, but provided for the sale of those which had been imported for that purpose. The prisoners taken by Col. John Barnwell in his campaign against the Indians in the Tuscarora war were advertised to be sold in the Massachusetts. and other colonies, and to take in these captives Pennsylvania appears to have adopted this later prohibitory provision.

It was in 1712, also, that Antoine de Crozat had the privilege of sending a ship, once a year, to Africa for a cargo of slaves to work in mines in Louisiana, one-fourth of the profits to go to King Louis XIV.

The invention of the cotton gin in 1793 caused a great increase in the demand for slaves in that portion of the South adapted to the growth of cotton.

Previous to 1776, 300,000 negro slaves had been imported by the colonies. At the first census, in 1790, the slaves in the United States were distributed as follows:

New Hampshire	158
Vermont	17
Rhode Island	952
Connecticut	2,350
Massachusetts	none
New York	21,324
New Jersey	11,423
Pennsylvania	3,737
Maryland	103,036
Virginia	293,427
North Carolina	100,572
South Carolina	107,094
Georgia	29,264
Kentucky	11,830
Tennessee	3,417
Total	697,897

The number increased in 1806 to 893,041, in 1810 to 1,191,364, and in like proportion until 1860, when the slaves in the United States numbered 3,953,760, and the total number of blacks who had been bought or kidnapped and carried away from Africa had reached the enormous figure of 40,000,000, and the trade was still being carried on.

As early as 1776 slavery had become a menace and it was resolved that year by the Continental Congress that no more slaves should be imported into the colonies, but when the Constitution was adopted action was postponed on this question.

July 21, 1787, however, Congress passed by a unanimous vote a bill introduced by Nathan Dane forbidding involuntary servitude in that portion of the United States constituting the Northwest Territory.

Notwithstanding the efforts put forward in the Treaty of Ghent, the Webster-Ashburton Treaty, and other strenuous negotiations that followed, under the existing treaties and agreements with France and Spain a certain number of cruisers were being maintained on the east and west coasts of Africa, and in the West Indies, for the suppression of the trade which under the laws of these countries was then recognized as piracy. France and Spain having become parties to this compact each country maintained its separate squadron.

In January, 1915, Capt. Owen Slicer Willey, who was an officer on one of the vessels of the United States patrol, read a paper before Burnside Post, Grand Army of the Republic, Washington, D. C., from which the following facts have been gleaned:

"In 1858, the United States brig of war 'Dolphin,' commanded by Lieut. John A. Moffitt, captured off the Island of Cuba the American brig 'Echo' of Boston from the west coast of Africa with a large cargo of African slaves. The prize was taken to Charleston, but in view of the hostility there to interference with the slave trade, was sent to New York, where she was sold and the captives returned to Liberia.

"In December, 1858, the 'Wanderer' landed a cargo of slaves on the coast of Georgia, followed by another the next year, and a third attempt was made in 1860, but it was reported and believed at the time that she landed her cargo near San Antonio, Cuba. She was seized by the United States and condemned and sold.

"Early in the spring of 1860 the American bark 'William' of New York was captured by the 'Wyandotte' of the United States patrol with 680 slaves on board from the west coast of Africa for the trade in the United States. Every vessel passing was boarded by the patrol, sometimes as many as forty or fifty vessels a day. Among the slavers captured that spring were the American bark 'Wildfire' of New York, having on board 520 slaves, captured by the 'Mohawk' and taken to Key West, and the French bark 'Bogata' with 411 slaves. This capture was by the 'Crusader,' with which Captain Willey was then serving."

Under our laws slave-trading was piracy, but the only person convicted and executed for this crime was Nathaniel Gordon, who, in November, 1861, was convicted and executed in the State of New York. In other cases the officers and crews escaped through being used as witnesses in proceedings against the vessels which were sold, and in some instances returned to the slave trade, as was the case with the "Wanderer."

Captain Willey described the hold of the ordinary slaver, where the captives were confined during the voyage of several weeks across the seas, as a room 80 or 90 feet in length, 35 or 40 feet in width and 6 or 7 feet in height. The floor space was largely occupied by water barrels on which planks were laid, which formed the slave deck and on which there was room to sit upright but not to stand erect. The only openings were the hatches, eight to ten feet square, which were closed during bad weather for several days at a time. Into such quarters were cast a thousand or more naked men, women and children, the resulting filth being indescribable and the odors overpowering. Many did not have room even on the floor to recline at length; they crouched on the slave deck, pillowing their heads against each other.

Occasionally as many as could be accommodated with standing room in the deck were driven up and the crew dashed a few buckets of water over them. No other measure of cleanliness was undertaken. Those put over them were sometimes fiendishly brutal, ever ready with a kick or blow, and the females were denied the protection accorded to female brutes.

The "William" and the "Wildfire" each sailed from the West Coast with 1,000 slaves. Of these 2,000 human beings 680 were landed from the "William" and 520 from the "Wildfire." The remainder died enroute.

The boarding crew from the "Wyandotte" weighted and consigned to the deep twenty-one bodies from the "William," death's harvest of the preceding night. The "Mohawk" crew did likewise with fourteen bodies from the "Wildfire."

The passage across was usually made in from eight to ten weeks, never less, more frequently in excess. The horrors of the "middle passage" across the western ocean were surely not of such a nature as to improve the physical condition of the wretched, docile savages, for notwithstanding their supposed savagery, they were docile and reasonably tractable towards their white masters, inspired, perhaps, through fear and ignorance.

The captives cost from $5 to $25 in the first instance and were sold at from $150 to $400 after their delivery in the United States.

PART II

CHAPTER X

EARLY EXPLORING EXPEDITIONS

LONG'S YELLOWSTONE EXPEDITION—FIRST STEAMBOAT ON THE MISSOURI—THE FIRE BOAT THAT WALKS ON THE WATER—LONG'S INTERNATIONAL BOUNDARY EXPEDITION—JOSEPH RENVILLE, GUIDE—FEASTED BY THE WAHPETONS—CHIEF WANATON—THE DEBATABLE LAND—RETURN OF THE HUNT—DOG SLEDGES AND TRAVOIS—RED RIVER CARTS—ARISTOCRACY OF THE PLAINS—EXPEDITION OF MAJ. SAMUEL WOODS—OPENING OF NAVIGATION ON THE RED RIVER—ON THE MISSOURI RIVER—LOUISIANA FUR COMPANIES.

> **"By mutual confidence and mutual aid**
> **Great deeds are done and great discoveries made."**
> ***—Homer's Iliad.***
>
> **"What was only a path is now made a high road."**
> ***—Martial Epigrams, Book 7, 60.***

LONG'S YELLOWSTONE EXPEDITION 1819-1820

James Monroe, as President of the United States, was desirous of protecting the frontier from British aggression, being convinced that the whole western country took a great interest in the success of the contemplated establishment of a military post at the mouth of the Yellowstone River; that it was looked upon as a measure better calculated to preserve the peace of the frontier, secure to us the fur trade, and break up the intercourse between the British traders and the Indians, than any other which had been taken by the Government, and he expressed a willingness to assume great responsibility in hastening its consummation.

Accordingly, Maj. Stephen H. Long was selected to conduct the expedition to the mouth of the Yellowstone, or to the Mandan villages, as a part of the system of measures which had for its object the extension of the fur trade. The newspapers of the period took a very rosy view of the great benefits to follow in the wake of this expedition, and were confident that it would strike at the very root of British influence. An able corps of scientific men were included in the party, several of whom accompanied him to the Red River three years later. Their instructions followed those given to Lewis and Clark, but the importance of selecting a point near the forty-ninth parallel of latitude, where a sphere of influence might be established, was strongly impressed upon them.

Great preparations were made for the expedition, and in all about eight hundred men assembled at St. Louis, and other points, but the summer faded, and was succeeded by the chilly blasts of autumn, and nothing was accomplished, although five steamboats were engaged to take them up the river and an expenditure of over two hundred and fifty thousand dollars was made the subject of congressional inquiry.

THE FIRST STEAMBOAT ON THE MISSOURI

A steamboat 75 feet in length, 13 feet beam, drawing 19 inches of water, was built for the engineers of this expedition, and named the Western Engineer. It was the first steamboat to enter the waters of the Missouri, and the only boat of this expedition put into requisition on that river. It reached Council Bluffs on the west side of the Missouri River, twenty-five miles above Omaha, Neb., September 17, 1819, and the engineers went into winter quarters near that point,—which became Fort Atkinson, abandoned in 1827,—but Congress failing to provide the necessary money to continue the expedition to the Yellowstone, it was diverted to the Rocky Mountains. A very large percentage of the soldiers at the winter cantonment died of scurvy.

The Missouri Gazette of May 26, 1820, contained a description in detail of the Western Engineer, which fully justifies the emotional element in Whittier's tragic verse:

"Behind the scared squaw's birch canoe
The steamer smokes and raves,
* * * * * "

The Gazette said: "The bow of this vessel exhibits the form of a huge serpent, black and scaly, rising out of the water from under the boat, his head as high as the deck, darting forward, his mouth open, vomiting smoke, and apparently carrying the boat on his back. From under the boat at the stern issues a stream of foaming water, dashing violently along. All of the machinery is hid. Three brass field pieces mounted on wheeled carriages, stand on the deck. The boat is ascending the rapid stream at the rate of three miles an hour. Neither wind nor human hands are seen to help her, and to the eye of ignorance the illusion is complete that a monster of the deep carries her on his back, smoking with fatigue, and lashing the waters with violent exertion."

It was a scene calculated to paralyze with fear the "untutored mind" of the savage, although it bore a flag on which a white man clasped the hand of an Indian, a typical act of friendly intercourse, backed, however, by bristling guns. The Indians might well have called it the "fire boat that walks on the water," as they later did the Yellowstone. For the kind of terror it inspired it may have been the prototype of the "fighting tanks," "land battleships," or "caterpillar tractors," made by the Holt Manufacturing Company of Peoria, Ill., for an agricultural implement to meet some of the difficulties of modern farming and used in the great European war. As appropriated by the British in September, 1916, from a revolving turret on the monitor plan, defended by complete armor, a murderous fire pours forth in a perpetual stream of bullets from, as described, "a fire-belching, death-dealing monster," with almost incomprehensible means of locomotion, propelling itself forward by a gasoline engine, passing over all manner of obstacles and entanglements, laying its own track as it moves along. The London Times refers to them as "unearthly monsters, cased in steel, spitting fire, and crawling laboriously, but ceaselessly, over trench, barbed wire and shell crater." The Germans, like the Indians, have a superstitious horror of it. "Will we ever forget," they cry, "our first sight of the thing as it came at us out of the morning mist?"

The Rocky Mountain expedition was important, and the report interesting, but unfavorable to the development of the country for agricultural purposes, and had the effect to retard progress in that direction, and to prevent congressional action with reference to opening the country to settlement.

LONG'S INTERNATIONAL BOUNDARY EXPEDITION

In July, 1823, Maj. Stephen H. Long's expedition to locate the boundary between the United States and Canada at its intersection with the Red River of the North, and thence eastward to Lake Superior, reached Pembina, and finding the exact location, on the 8th of August, marked it with an oak post, raised the American flag, and fired the national salute. The entire settlement, consisting of about three hundred and fifty inhabitants, was found to be on the American side, with the exception of one log cabin, and there was great rejoicing among the people, who congratulated themselves that all the buffalo, also, were on this side. The Hudson's Bay Company, the Roman Catholic Fathers, and other distinctively British interests, finding that Pembina was in the United States, had already moved down the river to Fort Douglas, in order that they might be on undisputed British territory.

Among the reasons for the expedition, was that of investigating the extent of the fur trade in the Red River country, and the various reports originating with the conflicting trading interests, the character of the country along the northern border, then unsurveyed, and to make inquiry into the character and customs of the Indian tribes inhabiting the country.

In command of the party was Maj. Stephen H. Long, topographical engineer, U. S. A., assisted in his researches by James Edward Calhoun, astronomer and topographer; Thomas Say, zoologist and antiquary; Samuel Seymour, landscape painter and designer; and Prof. William H. Keating, mineralogist, geologist and historiographer, and the report prepared by the last named was from notes made by these several parties.

Col. Josiah Snelling of the Fifth United States Infantry, furnished a guard, consisting of a sergeant, two corporals, and eighteen soldiers, commanded by Lieut. St. Clair Denny, until the return of Lieut. Martin Scott, who had been connected with the expedition after it left Prairie du Chien, and who again joined it in the Red River Valley. They traveled overland from Wheeling, W. Va.

JOSEPH RENVILLE, GUIDE

After leaving Fort Snelling, Joseph Renville, who had been one of the interpreters of Lieut. Pike's expedition, was the Sioux interpreter and guide of Major Long's. His mother was a Sioux of a prominent family, and his father a French trader. He was a man of unusual ability, speaking both French and English fluently, and is credited with having translated much of the New Testament from English into French, and from French into his mother tongue from hearing it read. He had no education, except the practical kind, which he was able to acquire from his surroundings. During the War of 1812, though a native of the United States, he joined the Indian allies of the British Government, and held the rank and drew the pay of a captain in the British army. He was distinguished as an active and humane officer, and was successful in repressing the depredations of the Sioux; preventing them from sharing in the bloody and disgraceful acts perpetrated by other Indian allies of the British. After the war he retired on half pay, but resigned his commission in order to engage in trade on the American side; his old trading post being at the head of the Red River, which was made headquarters of the Columbia Fur Company, of which, in 1822, he was one of the leading organizers.

The Columbia Fur Company had a station on Big Stone Lake, in charge at the time of the Long expedition, of a trader of the name of Moore.

FEASTED BY THE WAHPETONS

As Major Long approached Big Stone Lake, he met a band of Wahpetons, who invited his party to their village, where they prepared a feast for him, consisting of the choicest cuts of the buffalo, and while partaking of it he explained to them the object of his visit, which seemed to interest and please them much. As they were about concluding the feast, the major was informed that another had been prepared for them, and lest he might offend, the second invitation was accepted, but before that was finished, another was ready, at which was to be served the choicest food in the power of the Indian to offer—a dog had been killed for the occasion!

In the evening Major Long returned to the skin lodge of the chief, where another feast was spread, and he then received the assurance of that distinguished individual, Tatanka Wedhacheta, that he would send messengers to his people who were absent hunting, and whom they might encounter, directing them to supply his needs.

ENTERTAINED BY CHIEF WANATON

Wanaton of the Yanktons, was then regarded as one of the great men of the Sioux Nation. When Major Long arrived at Lake Traverse, this renowned chief killed three dogs, and gave him and his party a royal feast. A pavilion had been formed by connecting several skin lodges, carpeted with fine buffalo robes, and the air was filled with the odor of sweet grass which had been burned for its perfume. The dinner courses consisted of buffalo meat boiled with Indian turnips, the same vegetable, without meat, in buffalo grease, and, finally, the much esteemed dog meat, which, after tasting, Major Long declared he no longer wondered was regarded as a dainty dish. The feast prepared for ten was said to have been sufficient for one hundred men.

Wanaton wore moccasins, leggings of scarlet cloth, a blue breech-cloth, a shirt of painted muslin, a frock coat of fine blue cloth, with scarlet facings, buttoned and secured around his waist by a belt, a blue cloth hat, and a handsome Mackinaw blanket.

The next day Wanaton paid Major Long a return visit, when he wore the full habit of an Indian chief; the most prominent part of his apparel being a mantle of buffalo skins of a fine white color, decorated with tips of owl feathers, and others of various hues. His necklace had about sixty claws of the grizzly bear, and in his hair he wore nine sticks, secured by a strap of red cloth and painted vermilion, to represent the number of wounds he had received in battle. His face was painted with vermilion, and he carried, and frequently brought into use, a fan of turkey feathers.

THE DEBATABLE LAND

The Indians regarded the country between the Bois de Sioux and Turtle River debatable land, it being claimed by both the Chippewa and Sioux, and neither venturing to hunt in the region without being prepared for war, many sanguinary conflicts resulted.

Major Long had advanced only about nine miles into this region when he encountered a party of about seventy-five Sioux, who were very threatening in their attitude, but he managed to escape them and pushed on to Pembina, where he was entertained by a trader of the name of Nolen, who had been stationed there several years, and whose daughters taught in the school at St. Boniface.

Nearly all of the male inhabitants were out on a buffalo hunt, and the village was almost destitute of provisions, as was also the exploring party, but on the return of the hunters the next day there was an abundance.

RETURN OF THE HUNT

The procession consisted of 115 carts, each loaded with about eight hundred pounds of buffalo meat. There were 300 persons, including the women, in the train, and 200 horses. Twenty hunters rode abreast, firing a salute as they passed Major Long's camp.

EXTENT AND VALUE OF THE FUR TRADE

The value of the trade of the Red River region south of the boundary, annually, as given to Major Long by a member of the Columbia Fur Company, was $64,877, embracing beaver, bear, buffalo, marten, otter, fisher, elk, mink, muskrat, lynx, swan, rabbit, wolverine, buffalo cow skins, wolves, moose, and fox; buffalo being by far the greater item, amounting to 400 packs, of ten skins each, $16,000. The value of the beaver was placed at $4,000; of the fisher, $11,250; muskrat, $8,000, and lynx, $5,600. In addition to the above aggregate, there were 1,000 bags of pounded buffalo meat, or pemmican.

DOG SLEDGES AND TRAVOIS

Prior to 1800, the only means of transportation used on the plains of North Dakota was the dog sledge in winter, the Indian travois in summer, and the packs by men or animals. The dog sledge was much like the toboggan, flat-bottomed with a guard or dash-board in front, wide enough to seat one person, and long enough so he could recline if desired, as the dogs skipped along over the prairie. The driver could jump on or off when the animals were moving at high speed. A passenger, wrapped in furs, could sleep in perfect comfort as the sledge glided along from seventy-five to ninety miles a day, each sledge drawn by three dogs, with a driver to each sledge. There were frequently as high as twenty-five sledges in a train. The dogs were held in check by a strong cord attached to the leader. The dogs responded to a motion of the whip or hand, to indicate the direction, every dog knew his name, and all became attached to their masters, especially when treated kindly. They were fed a pound of pemmican a day. A trained leader was worth $20, and others from $8 to $10. Their life of usefulness on the train ran from eight to twelve years. A dog sledge would carry about four hundred pounds.

In winter dog sledges were used for both freight and passenger service; the allowance of load per dog on a long journey being 100 pounds. One of the traders claimed that he had transported 1,000 pounds by the use of six, and, part of the way, eight dogs, from the Mandan villages on the Missouri, to the Red River posts. In summer the dogs were frequently used to carry buffalo meat from the place where the animals were killed to the points where the women were engaged in curing the meat for the trade or for the winter store.

Two poles were crossed and fastened over the shoulders of the dogs, with a piece of hide underneath them to prevent chafing; the other extremities dragging on the ground. It was secured to the animal by strings around the body, while a bar was fastened to the poles at the rear, keeping them a proper distance apart, and serving to support the meat.

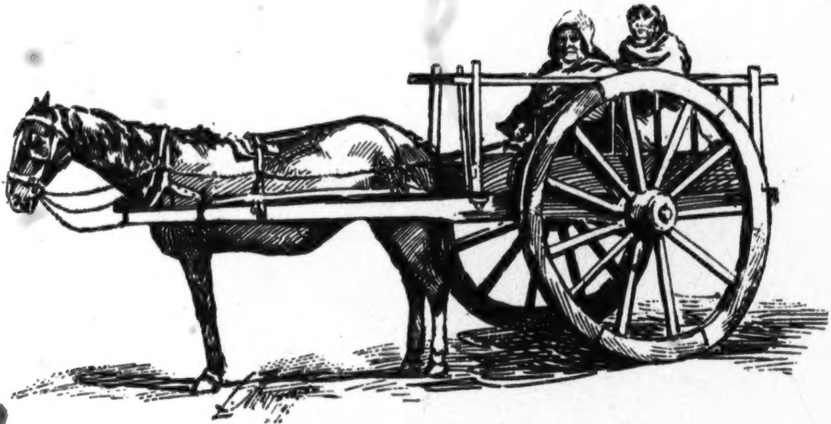
The travois for use on the ponies were made in substantially the same way, except that the poles about sixteen feet long were fastened to the saddle on either side of the animal, the rear end dragging on the ground, and were capable of carrying about five hundred pounds. They were also called the traville and by some the travees.

RED RIVER CARTS

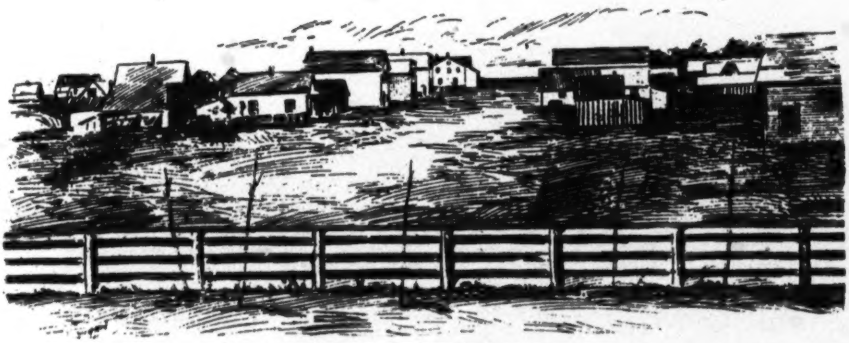
The Red River cart made its appearance in 1801, and is first mentioned in history by Alexander Henry, who gives its proportions as about four feet high, wheels with only four spokes, placed perpendicularly, without the least leaning outward. Made entirely of wood, unpainted and weather-stained, the creaking of their wheels could be heard a mile or more. They were drawn by one horse or an ox or cow.

They were used for the transportation of furs and other supplies long distances, the goods for the traders being shipped in by this means, and the proceeds of the chase shipped out in the same manner. From the description given by Mr. Henry, one may readily imagine the variety to be found in a train of from one hundred to five hundred Red River carts when on the summer chase, or engaged in transporting freight to and from the settlements.

These carts, capable of conveying about five pieces (450 pounds) according to Mr. Henry, or, say, from 500 to 800 pounds, were each drawn by one horse, ox,



RED RIVER CART, 1801 TO 1871



GRAND FORKS IN 1874

or cow. Mr. Henry was doubtless thinking of the possibilities of using oxen for transportation when he exclaimed: "If we had only one horse in the Northwest, we would have less laziness, for men would not be burdened with families, and so much given to indolence and insolence."

He thus describes the first train pulling out in 1802:

"The men were up at break of day, and their horses tackled long before sunrise, but they were not in readiness to move before 10 o'clock, when I had the curiosity to climb to the top of my house, to examine the movement and order of march. Anthony Paget, guide and second in command, led off with a cart drawn by two horses, and loaded with his own private baggage, casse-tetes (liquors), bags, and kettles. Madame Paget follows the cart with a child one year old on her back, and very merry. C. Bottineau, with two horses, and a cart loaded with 1½ packs, his own baggage, and two young children, with kettles and other trash on the cart. Madame Bottineau with a young child on her back, was scolding and tossing it about. Joseph Dubois goes on foot, with his long pipestem and calument in hand. Madame Dubois follows her husband, carrying his tobacco pouch. Anthony Thelliere, with a cart and two horses, loaded with 1½ packs of goods and Dubois' baggage. Anthony LaPoint, with another cart and two horses loaded with two pieces (180 pounds) of goods, and baggage belonging to Brisbois, Jessaume, and Pouliote, and kettles suspended on each side. M. Jessaume goes next to Brisbois with gun, and pipe in his mouth, puffing great clouds of smoke. M. Pouliote, the greatest smoker in the Northwest, has nothing but pipes and pouch. These three fellows having taken the farewell dram, lighting fresh pipes, go on, brisk and merry, playing numerous pranks. Don Severman, with a young mare, the property of M. Langlois, loaded with weeds for smoking, an old Indian bag, Madame's property, some squashes and potatoes, a small keg of fresh water and two young whelps. Next come the young horses of Livermore, drawing a traville, with his buggy, and a large worsted mask, queucate, belonging to Madame Langlois. Next appears Madame Cameron's young mare, kicking and rearing, and hauling a traville, which was loaded with a bag of flour and some cabbages, and a large bottle of broth. M. Langlois, who is master of the band, now comes, leading a horse that draws a traville, nicely covered with a new pointed tent, under which are lying his daughter and Mrs. Cameron, extended at full length, and very sick. This covering, or canopy, has a pretty effect. Madame Langlois now brings up the rear, following the traville with a slow step and melancholy air, attending to the wants of her daughter. The rear guard consisted of a long train of dogs, twenty in number. The whole forms a string nearly a mile long."

Following the travois and the Red River cart came the stage and transportation companies. The Hudson's Bay Company contracts, which gave them control of much of the Canadian Northwest, were terminated in 1869, and the Manitoba government was organized in 1870. That year the first United States land office was opened in North Dakota at Pembina. There was then no regular mail to Fort Garry, now Winnipeg, and no means of communication, except in private interests, between Manitoba and the outside world. Therefore, in the spring of 1871, the stage route was extended from Georgetown to Winnipeg, a contract having been let to Capt. Russell Blakely, of St. Paul, to carry the mail to Winnipeg, the first stage arriving at Winnipeg September 11, 1871. In 1878, the railroad having been extended to Winnipeg, the stage and transportation company transferred its line to Bismarck, and opened up a daily line of stages to the Black Hills. About the same time a line of daily stages was established from Bismarck to Miles City, Mont., and another from Bismarck up the Missouri River to Fort Buford and down the river to Fort Yates, and still another from Bismarck to Ellendale. A government line of telegraph was also established from Bismarck to Fort Yates, and north to Buford and thence to Miles City and Fort Keogh.

THE ARISTOCRACY OF THE PLAINS

The aristocracy of the plains consisted of the traders, their clerks, the buffalo hunters, and their families. The traders enjoyed every luxury, and always kept the finest liquors for entertainment. They were liberal, and honest, in their way. The buffalo hunters were most improvident in dress and living. "In many instances," Mrs. Cavileer states, "their wives wore silk velvet, and the most costly fabric of other manufacture, even in the buffalo camp. The style of dress was a matter of much concern among the women. The waist was close fitting, with 'mutton-leg' sleeves, the folds of the round, plain skirt falling to within six inches of the ground. They wore moccasins, mostly beaded or embroidered with quills, and leggings. A graceful feature of their costume was a broadcloth blanket, thrown carelessly over their shoulders, while a fine silk handkerchief was so fastened over the head and face as to display most bewitching eyes to the best possible advantage. The hair was neatly braided and coiled at the back of the head. They had charming manners, with an oriental tinge." These were the nut-brown women of the plains, the wives and daughters of the traders and their clerks.

The tents or tepees were carpeted with skins, and, at times, with expensive brussels rugs, and were often exceedingly rich in drapery. In the "Bridal of Pennacook" John G. Whittier draws a fascinating picture of primitive life in the habitations of Indians like their neighbors:

"Roof of bark, and wall of pine,
Through whose chinks the sunbeams shine,
Tracing many a golden line
    On the ample floor within;
Where, upon the earth-floor stark
Lay the gaudy mat of bark,
With the bear's hide, rough and dark,
    And the red deer's skin.

"Window tracery, small and slight,
Woven of the willow white,
Lent a dimly checkered light;
    And the night stars glimmered down,
Where the lodge-fire's heavy smoke
Slowly through an opening broke,
In the low roof, ribbed with oak,
    Sheathed with hemlock brown."

EXPEDITION OF MAJ. SAMUEL WOODS

In 1849, in accordance with a suggestion of William Medill of Ohio, United States commissioner of Indian affairs, to send an exploring expedition to the Red

River Valley, Thomas Ewing, of Ohio, United States secretary of the interior in the administration of President Zachary Taylor, of Virginia, approved the undertaking, believing that the best way to prevent anticipated and remedy existing evils—such as the illegal traffic in liquor carried on by the British traders with the Indians—would be to purchase a moderate portion of the Indian country and open it to settlement. Another object was to investigate the danger to the settlements reported to be threatening on account of the destruction of their main dependence, the buffalo. It was also a part of the project to select a site for a military post which afterwards became Fort Abercrombie on the Red River in Richland County.

The expedition, conducted by Brevet Maj. Samuel Woods, captain Sixth United States Infantry, then stationed at Fort Snelling, at the head of navigation of the Mississippi River, near St. Paul, Minn., consisted of Second Lieut. Anderson D. Nelson, Sixth United States Infantry quartermaster and commissary, having in charge a mountain howitzer, Second Lieut. and Brevet Capt. John Pope of the topographical engineers, and Dr. James Sykes, acting assistant surgeon, medical officer. Lieut. John William Tudor Gardiner and Second Lieut. Thomas F. Castor, with Company D, First Dragoons, numbering forty men, were to meet him at Sauk Rapids, and were intended for the garrison of Fort Gaines, later known as Fort Ripley, then a military post on the Mississippi opposite the mouth of Mohoy River ten miles below the Crow Wing River, about forty miles above Sauk Rapids. As directed by George W. Crawford, of Georgia, then secretary of war, Major Woods was to select a point for the military post not exceeding 200 miles west of Fort Gaines.

They left Fort Snelling June 6th, proceeding to the Turtle River country northwest of Grand Forks, thence north to Pembina at the northern frontier of the United States, where they arrived August 1st, and returned to Fort Snelling September 18, 1849.

Jonathan E. Fletcher was Indian agent on the Upper Missouri, having a vast extent of country in his charge, and he had reported that some attention must be given the Red River country in order to prevent injustice being done to American traders by unlawful and injurious interference by British subjects, and to put a stop to our Indians being supplied with ardent spirits, and the great destruction of game by persons from the British side of the line.

He called attention to the great and wanton destruction of the buffalo, causing discontent among the Indians, leading in one or two instances to murder of persons so engaged. The buffalo, it was alleged, was almost the only means of subsistence of some sixty thousand Indians in that region and the Upper Missouri, and it was apparent that they must soon disappear under the prevailing conditions, through their destruction by other than Indians. He was confident that it would result in sanguinary and exterminating wars among the Indians, or cause them to precipitate themselves on the advanced settlements in order to procure the means of subsistence.

He spoke of the considerable military post being maintained by the British across the line, then known as Fort Garry, for the protection of its citizens, and the preservation of peace and good order which suggested the propriety of a military post on the American side of the line.

Mr. Fletcher dwelt particularly on the evils of the trade in ardent spirits among the Indians, introduced by British subjects. The liquor was supplied in some instances with a view to breaking down the business and the influence of the American traders; to annoy and discommode them by purchasing with whisky all of the surplus provisions the Indians had to sell, but more especially to keep the Indians from obtaining furs, well knowing that they would not hunt or trap while they could obtain liquor. It was said that the Hudson's Bay Company would not sell liquor to anyone, and it was true that they would not sell to the Indians at any price for money, but they did exchange it for anything the Indians had to sell in the way of furs or provisions.

Norman W. Kittson was then a licensed trader at Pembina, and it was his estimate that the population of the Red River, on both sides of the boundary, was 6,000, that one-third subsisted by hunting buffalo, and that they killed about twenty thousand buffalo annually.

Mr. Fletcher charged that British subjects were holding councils with the Indians on the American side of the line, with a view to prejudicing them against our Government and against our system of trading with the Indians. He urged the great danger to the frontier citizens from inadequate military protection, and the importance of this feature was demonstrated by the Indian outbreak of 1862. He also urged the advantage the British traders had over the Americans by reason of their ability to purchase without paying tariff rates.

A letter from Henry M. Rice, an Indian trader, was also presented, in which he charged that the British trader at Rainy River assembled the Indians on the American side and made them presents to influence them against trading with the Americans and to prevent the Americans from trading in that country, and they sent out agents with whisky to buy, with a view to controlling, the wild rice crop, thereby depriving the trader and his employees of the means of subsistence.

The trade was not regarded of value to the British but it was their purpose to destroy it, more especially to prevent Americanizing the Indians. They also feared to have the Canadian Indians learn the facts regarding the American system of trade among the Indians, and the low price at which they sold their goods.

Mr. Rice stated that in the summer of 1848, a party of 1,200 carts visited the country south of Devils Lake and destroyed buffalo by the thousand for the meat, tallow and tongues. Mr. Rice, afterwards an influential United States senator from Minnesota, urged the purchase and settlement of the country, and that the half-breeds, British subjects by compulsion, not by choice, be encouraged to occupy the purchased portion.

The plan to open the Red River country to settlement, formulated in 1848, was enthusiastically received by the half-bloods, but was met in silence by the Indians, and was used by the Hudson's Bay Company as a means to prejudice the Indians against the Americans. The opening was consummated twenty-five years later.

At Pembina they found Father George Anthony Joseph Belcourt, located about a mile down the river from Norman W. Kittson's trading establishment at Pembina, where he had been located eighteen years, and had a school for the education of the Chippewas and the children of the half-bloods, of whom there were a considerable number; Kittson, as stated, placing the population along the international boundary at 6,000, and Major Woods reporting 177 families in the vicinity of Pembina, 511 males and 515 females.

In addition to the school building which was two stories in height, there was a chapel on the grounds.

Relative to the half-bloods, Father Belcourt wrote Major Woods:

"The half-breeds are mild, generous, polished in their manners, and ready to do a kindness; of great uprightness, not over anxious of becoming rich, contenting themselves with the necessaries of life, of which they are not at all times possessed. The greater number are no friends to labor; yet I believe this vice to proceed more from want of encouragement, and the small prices they receive for their products, than from laziness, and this opinion is grounded upon the fact that they are insensible to fatigue and exposure, which they endure with lightness of heart when called upon to do so in the course of diverse occupations. They have much openness of spirit, and their children manifest good capacity when taught; still we could wish them to possess a little more perseverance. They are generally gay and fond of enjoyment; they affect music, there being but few, comparatively speaking, who do not play on the violin. They are a fine physical conformation, robust and full of health, and of a swarthy hue. We see but slight dissensions in their families, which are for the most part numerous. The men commonly marry at the age of seventeen or eighteen and as a general thing are of good morals. The half-breeds number over five thousand souls. They first established themselves at Pembina, near the mouth of the river of that name in 1818, when they had with them a resident Canadian priest. They had also erected a church, and were engaged in the cultivation of the soil with great success when Major Long visited the country, and having ascertained the latitude, declared it to be south of the 49th degree. St. Louis being the nearest American settlement of any size, and the distance being very great, it was out of the question for the residents of Pembina to hold intercourse with it, except by incurring great expense as well as danger. The Hudson's Bay Company profited by the inability of the colonists to communicate with the states, to give public notice that all inhabitants who were established on the American side of the line should descend the Red River and make settlement about the mouth of the Assinaboine River, under penalty in case of failure so to do of being refused all supplies from their store. At that time even more than at present, powder, balls, and net thread for fishing were articles indispensably necessary to their subsistence. In short, they were obliged to submit."

EARLY TRADERS AND SETTLERS

At the time of Major Woods' expedition the Hudson's Bay Company had a building a few feet south and were building extensively about two hundred yards north ot the international boundary. Norman W. Kittson was represented at that time by Joseph Rolette, a son of the one of that name met at Prairie du Chien by Lieutenant Pike.

The Selkirk colonists were then engaged in farming on the Red River, north of the boundary, and they reported thirty to forty bushels of wheat, forty to fifty bushels of barley, forty to fifty bushels of oats, and 200 to 300 bushels of potatoes per acre, as the usual yield.

RED RIVER MOSQUITOES

The mosquitoes were an ever-present annoyance. At the site of the proposed military post it was said they literally filled the air and it was impossible to talk without inhaling them. "They choked down every expression," wrote Major Woods, "that would consign them to the shades. They condemn the displeasure and sing cheerily over the torture of their victims." The horses began to fail, attributable, principally, to the ever-increasing army of these insects, that did not allow the horses to rest by night nor quietly feed upon the grass. "The suffering of the horses was painful to behold and irremediable. The men would industriously strike out with both hands, from morning till night, scarcely able to talk without inhaling some handfuls of them."

At the site that afterwards became Fort Abercrombie they set up a square post and marked on it "163 miles to Sauk Rapids, July 14, 1849." At Goose River they encountered a vast herd of buffalo. At Turtle River they found an old earthwork, said to have been erected by the Chippewas for defense against the Sioux. It covered about an acre. Two or three years before, the old fort had again been occupied by a band of Chippewas, but they were driven off by the Sioux and five or six were killed.

The country north of the Sheyenne was the acknowledged land of the Chippewas, while that south was claimed by the Sioux. Their claims extended up the Sheyenne to Devils Lake, back to the Missouri River.

The Chippewas at Pembina were then unorganized. Through the suggestion of Major Woods they elected Sakikwanel (Green Feather) principal chief, Majekkwadjiwan (End of the Current) first second chief, and Kakakanawakkagan (Long Legs) second chief. The election was later approved by the Indian authorities. The tribe had been without a head since it had separated some years before from the mother tribe on the Great Lakes. The new dignitaries were properly saluted by the firing of guns and appropriately instructed as to their duties and responsibilities.

While on the plains that season the Chippewa hunters had been attacked by the Sioux and several scalps had been taken on each side. Following the return of the hunters there was a scalp dance. The scalps were ornamented with ribbons and feathers, and, fastened to the end of a stick, were borne in the dance high above the heads of the dancers. Those who bore them had returned from the war, heroes indeed, arriving in advance of the main body of hunters. They always expected trouble with the Sioux and were prepared for it, and were organized under a captain, whose orders they implicitly obeyed.

OPENING OF NAVIGATION ON THE RED RIVER

While traffic on the Red River began with the work of the voyageurs in the Indian trade, even before the advent of Henry's Red River Brigade, and every branch of the stream had been reached by their boats, the goods for the wandering traders being packed on the backs of men to their temporary trading posts, it was not until 1858, that the first steamboat was built for operation on the Red River of the North, at Lafayette, Minn., by Capt. Anson Northrup, for whom it was named; this would carry from fifty to seventy-five tons. The machinery was brought overland from Crow Wing and the timber was cut on the Red River. It was operated one season and then passed into the hands of the Hudson's Bay Company and its engine was transferred to a saw mill.

The "Freighter" was a 200-ton boat operating on the Minnesota River. An attempt was made to transfer this boat from the waters flowing into the Gulf of Mexico to the Red River tributary to Hudson Bay. There have been seasons when this could have been done, but in this case the attempt failed. The "Freighter" grounded in the inlet of Big Stone Lake and became a wreck. Her machinery was sold to the Hudson's Bay Company and was used in the "International," built at Georgetown, Minn., in 1860. She operated for many years on the Red River, exclusively for the Hudson's Bay Company, until competition forced her into private traffic.

In 1871 the "Selkirk" was built at McCauleyville, by James J. Hill and Capt. Alexander Griggs. She was operated for general traffic. In 1872 the two lines were consolidated and run under one management. In 1875, the merchants of Winnipeg built the "Minnesota" and "Manitoba" at Moorhead. One of them sank and the other soon passed into the hands of the other company. The company was styled the Red River Transportation Company, and they built the "Sheyenne" and "Dakota" at Grand Forks, and the "Alpha" at McCauleyville. The "Grandin" was built at Fargo, together with a line of barges, and used for transporting grain from the Grandin farms to the Northern Pacific Railroad. Numerous other barges were built at Moorhead, which were used for transporting goods down the river to Winnipeg, where they were broken up and used for lumber. The "Pluck" was built on the Mississippi, and transferred by rail to the Red River from Brainerd, by Alsop Brothers. In 1881 they built the "Alsop" and a line of barges, operating boat and barges until 1886.

ON THE MISSOURI RIVER

The mackinaws or small boats with a crew of five men, would start from the trading posts down the river, requiring thirty days to reach St. Louis. The men would leave St. Louis in the spring, returning after about sixteen months. They were paid $220 for the round trip, up the river one season and back the next spring. Carpenters and blacksmiths were paid $300 per annum. The traders were paid $500 per annum.

Gen. John C. Fremont, writing of his trip from St. Louis to Fort Pierre in his memoirs, says: "For nearly 2½ months we were struggling against the current of the turbid river, which in that season of high water was so swift and strong that sometimes the boat would for a moment stand quite still, seeming to pause to gather strength until the power of the steam asserted itself, and she would fight her way into a smooth reach. In places the river was so embarrassed with snags that it was difficult to thread a way through them in the face of the swift current and treacherous channel, constantly changing. Under these obstacles we usually laid up at night, making fast to the shore at some convenient place where the crew could cut a supply of wood for the next day. It was a pleasant journey, as little disturbed as on the ocean. Once above the settlements on the Lower Missouri, there were no sounds to disturb the stillness but the echoes of the high-pressure steam pipe, which traveled far along and around the shores, and the incessant crumbling away of the banks and bars, which the river was steadily undermining and destroying at one place to build up at another. The stillness was an impressive feature, and the constant changes in the character of the river shores afforded always new interest as we steamed along. At times we traveled by high perpendicular escarpments of light colored rock, a gray and yellow marl, made picturesque by shrubbery or trees; at others the river opened out into a broad delta-like expanse, as if it were approaching the sea. At length, on the seventieth day, we reached Fort Pierre, the chief port of the American Fur Company, on the right bank of the Missouri River about thirteen hundred miles above its mouth."

In the Knife River region the crumbling banks disclosed thick beds of lignite coal, used by Lewis and Clark for blacksmithing purposes: and which has become an important item of commerce and is required by law to be used in heating the public buildings of North Dakota. It is so abundant that it is practically the only fuel used in some parts of North Dakota. Some of the beds are upwards of thirty feet in depth.

LOUISIANA FUR COMPANIES

In 1712 Antoine de Crozat was granted a monopoly of trade in the Province of Louisiana, as noted under "Louisiana Purchase" in Part I, having a trading house on the site of Montgomery on the Alabama River, and another at Natchitoches on the Red River. Pierre Le Moyne d'Iberville established Fort Rosalie on the site of Natchez in 1716. After five years in possession, Crozat resigned his patent, and was succeeded, in 1717, by a company organized by John Law, a Paris banker, known as the Mississippi Company, whose patent was to last twenty-five years, or until 1742. Their activities extended as far north as the mouth of the Grand River, in South Dakota. In 1722 an attempt was made by M. de Bourgemont to establish a trading post five miles below Grand River, known as Fort Orleans, but all the inmates of the post were killed by the Indians in 1726 as the result of well founded complaints of ill treatment by the traders, and in 1732 the Mississippi Company resigned its patent to the crown of France.

In 1762 the French governor general of Louisiana granted authority to Pierre Ligueste Laclede and his partners, their organization being known as the Louisiana Fur Company, to establish trading posts on the Mississippi River, and on February 15, 1764, Auguste Chouteau, representing that company, selected the site of St. Louis, twenty miles below the mouth of the Missouri, for headquarters.

October 21, 1764, the king of France ordered that portion of Louisiana west of the Mississippi to be turned over to the king of Spain; the cession was accepted by the Spanish on November 13th of that year, and August 11, 1768, Spanish troops took possession of the Louisiana Fur Company's post at St. Louis, giving place in July, 1769, to the Spanish lieutenant governor, Don Pedro Pieruas, who assumed civil authority.

May 26, 1780, a band of Indians led by British regulars from Fort Michilimackinac or Mackinaw—established by French Jesuits on the Michigan side of the strait between Lake Huron and Lake Michigan, conquered by the British in 1760—surprised the people outside the wall of brush and clay, built the previous year around the settlement of St. Louis for defense, killing from fifteen to twenty persons, and then attacked the village, but were repulsed.

Spain held possession of the territory until 1800, when it was retroceded to France, as related in Part I, and was ceded to the United States in 1803. On June 2, 1819, the first steamboat reached St. Louis, direct from New Orleans. She was named the Harriet. The first steamboat built in St. Louis was not launched until twenty-three years after.

The Mississippi Company was reorganized in 1832, and during their occupation trading posts were established in Alabama, Mississippi, and Tennessee, and lead mines were discovered in Northern Louisiana extending from the 33d degree north latitude to the Canadian territory.

CHAPTER XI

THE CONQUEST OF THE MISSOURI

EARLY TRADING POSTS ON THE YELLOWSTONE RIVER — YELLOWSTONE TRAPPERS AMBUSHED—ATTACKED BY THE ARIKARAS—THE LEAVENWORTH EXPEDITION—PUNISHING THE ARIKARAS—THE PURPOSE OF THE CAMPAIGN—MISSOURI RIVER TRADERS—ROCKY MOUNTAIN FUR COMPANY—INDIAN TREATIES OF 1825—THE COLUMBIA FUR COMPANY—DIVISIONS OF THE AMERICAN FUR COMPANY IN 1831—COLTER AND FINK, CHARACTER SKETCHES.

> "Careless seems the great Avenger; History's pages but record
> One death grapple in the darkness 'twixt old systems and the word;
> Truth forever on the scaffold, Wrong forever on the throne.
> Yet the scaffold sways the future, and behind the dim unknown
> Standeth God within the shadow, keeping watch above his own."
>
> —*James Russell Lowell.*

EARLY TRADING POSTS ON THE YELLOWSTONE

There were several posts at the mouth of the Big Horn, where it joins the Yellowstone River in Montana, not far from the Custer Battlefield; the first built in 1807, by Manuel Lisa, the noted Indian trader—as previously mentioned—and abandoned the next year. One, called Fort Benton, was built at this point in 1822, and abandoned in 1823. In 1822 Gen. William H. Ashley and Andrew Henry built a post at this point, but gave it up after the first winter. In 1825, it will be seen, it was visited by the Atkinson Commission and the site described. Fort Cass was three miles above the mouth of the Big Horn, built by the American Fur Company in 1832, sometimes known as Tulloch's Fort, and abandoned in 1835.

YELLOWSTONE TRAPPERS AMBUSHED

During the winter of 1822-23, the Missouri Fur Company had maintained a force of hunters and trappers on the Yellowstone and its branches. The party originally consisting of forty-three men, who wintered at the mouth of the Big Horn River, were reduced to thirty by desertion. They had abandoned their winter quarters and were returning to their station with their catch of furs, when, on May 31st, they were ambushed by the Blackfeet.

Robert Jones, who joined the Missouri Fur Company in 1818, and Michael Immel, the leaders of the party, and five others were killed, and four wounded. They lost their entire outfit of horses and equipment, and from $15,000 to $20,000

THE STEAMER "YELLOWSTONE" ASCENDING THE MISSOURI RIVER IN 1833
From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

SNAGS, SUNKEN TREES, ON THE MISSOURI
From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

worth of furs, some of which were recovered through the good offices of the Hudson's Bay Company officials.

ATTACKED BY THE ARIKARAS

General Ashley, from his trading post at the mouth of the Yellowstone River, in 1823 planned an expedition for trading and trapping on that stream and its tributaries, intending to extend his operations to the Columbia River. He organized a party of ninety men in the spring of that year, which he concentrated at the mouth of the Cheyenne River, with the intention of sending forty men across the plains with horses, the remainder to go on by boat. On the morning of May 30th, he reached the Arikara villages, and spent three days there, purchasing about fifty horses for his Yellowstone expedition, but on June 2d he was attacked by the Indians, and of his men fourteen were killed, eleven wounded, and one died of his wounds. Practically all of his horses were killed, and much of his property was stolen or destroyed. The Indians numbered about six hundred, and the attack was without the slightest provocation or warning.

General Ashley gave his loss as follows: Killed, John Mathews, John Collins, Aaron Stevens, James McDaniel, Westley Piper, George Flage, Benjamin F. Sweed, James Penn, Jr., John Miller, John S. Gardner, Ellis Ogle, David Howard. Wounded, Reece Gibson (died of wounds), Joseph Monse, John Lawson, Abraham Ricketts, Robert Tucker, Joseph Thompson, Jacob Miller, Daniel McClain, Hugh Glass, August Duffer, and Willis, a colored man.

This company was succeeded by Smith, Jackson & Sublette, in 1826. They had great success, though they met with numerous mishaps. On one of their expeditions, nineteen of a party of twenty-two men were killed by the Indians, and their property taken, but through the Hudson's Bay Company, in this instance also, most of the property was recovered. Later the firm became Fitzpatrick, Sublette & Bridger.

PUNISHING THE ARIKARAS

June 18, 1823, Col. Henry Leavenworth left Fort Atkinson (Nebraska, near Council Bluffs, Iowa) with Companies A, B, D, E, F, and G, Sixth United States Infantry, for the purpose of punishing the Arikaras. He took with him several pieces of light artillery, manned by details from his command, and was accompanied by eighty volunteers, armed and equipped by the fur companies, and from 600 to 800 Sioux, organized by Joshua Pilcher, of the Missouri Fur Company; the Sioux expecting a free hand in the matter of scalps and spoils.

The roster of officers of this expedition included Col. Henry Leavenworth, Maj. Adam R. Wooley, Brevet Maj. Daniel Ketchum, Captains Bennett Riley and William Armstrong, Lieutenants John Bradley, Nicholas John Cruger, William N. Wickliffe, William Walton Morris, Thomas Noel, and Surgeon John Gale.

The officers of the volunteer command and the Sioux Indian contingent were Gen. William H. Ashley, Captains Jedediah Smith and Horace Scott, Lieutenants Hiram Allen and David Jackson, Ensigns Charles Cunningham and Edward Rose, Surgeon Fleming, Quartermaster Thomas Fitzpatrick, and Serg.-Maj. William L. Sublette, of the Ashley party, and of the Missouri Fur Company and Indian contingent, Maj. Joshua Pilcher, president of the Missouri Fur Company and sub-agent of the Sioux, Captains Henry Vanderburg and Angus McDonald, First Lieut. Moses B. Carson and Second Lieut. William Gordon.

The appointment of these officers was confirmed by Colonel Leavenworth, in special orders, except that of General Ashley, who was brigadier-general in the Missouri Militia. Pilcher, sub-agent of the Sioux, was appointed by Major O'Fallen.

The entire command, as organized, including regulars, mountaineers, voyageurs, trappers, and Indians, mustering as variously estimated from 800 to 1,200, was styled the "Missouri Legion."

The distance from Council Bluffs, Iowa, to the Arikara villages, was said to be 655 miles, and the time consumed, including the stop for reorganization, was forty-eight days.

There were two Arikara villages, a short distance apart, overlooking the river, and so situated as to fully command the channel, fortified by a stockade of timbers 6 to 8 inches thick and 15 feet in height, with earth thrown up on the inside to a height of about 18 inches. About three-fourths of the Indians were armed with London fusils (flint-lock), procured through British traders; the others with bows and arrows, and war axes. The warriors belonging to the villages numbered about six hundred.

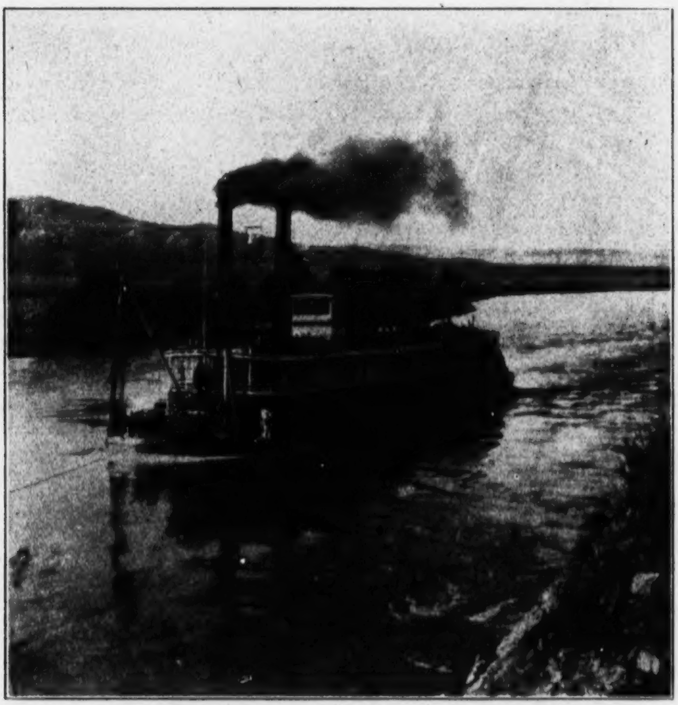
The ground covered by these villages was above the mouth of the Grand River that flows through the Standing Rock Indian Reservation to join the Missouri in South Dakota, near the border line between South and North Dakota, and, in 1811, was about three-quarters of a mile from the channel of the Missouri, on Dead Man's Creek, which now flows through a timbered bottom, where, in 1823, there were sand-bars and the river channel.

The Sioux auxiliaries awaited the arrival of Colonel Leavenworth at the mouth of the Cheyenne River, whence the advance was made. They arrived at the Arikara villages August 9th, and the Arikaras coming out to meet the Sioux, an engagement took place, in which the whites did not participate, as the Sioux were between them and the enemy.

August 10th Capt. Bennett Riley, with a company of riflemen, and Lieut. John Bradley, with a company of infantry, were posted on a hill within 100 paces of the upper village, screened from the enemy's fire. Lieut. William Walton Morris, with one 6-pounder and a 5½-inch brass piece, commenced an attack on the lower town. Sergeant Perkins, with one 6-pounder, was assigned to Capt. Henry Vanderburg, of the Missouri Fur Company, who was in command of the volunteers. Maj. Daniel [illegible] was ordered to the upper village with his command.

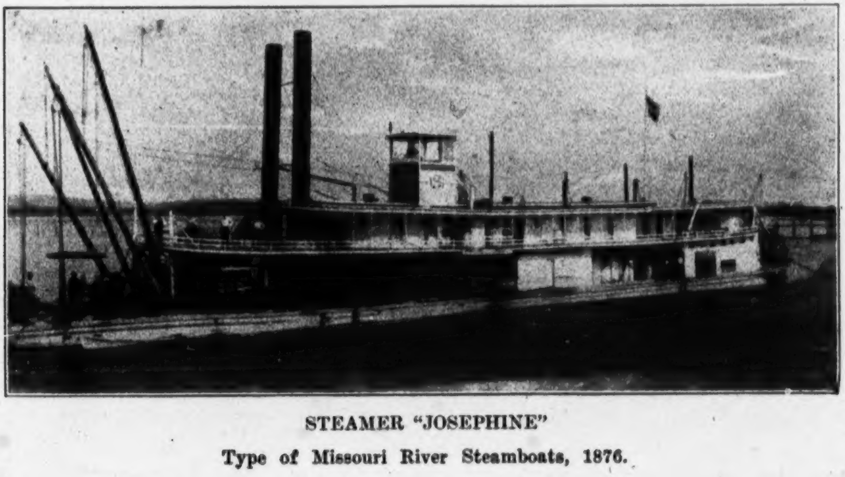
The fire was continued from early in the morning until 3 o'clock in the afternoon. The Sioux lost two killed and thirteen wounded. Some of their number were in the meantime harvesting the crop of the Arikaras, assisted in their work, later in the day, by the soldiers, for the purpose of obtaining supplies; General Ashley's men having had no food for two days. Colonel Leavenworth lost two men wounded during the engagement. The Arikara loss was heavy; Chief Grey Eyes being among the killed.

When the Sioux discovered that they were not to be given a free hand in the



UPPER MISSOURI RIVER SCENE AT "DROWNED MAN'S RAPIDS"

Steamer "Rosebud" homeward bound



STEAMER "JOSEPHINE"

Type of Missouri River Steamboats, 1876.

attack upon the Arikaras, they commenced to parley with them and finally disappeared altogether. The Arikaras were much terrified and hastily made a treaty of peace, but failing to surrender the property taken from General Ashley, Colonel Leavenworth threatened to attack them again, when they fled. He tried to induce them to return and re-occupy their villages, but did not succeed. They left the mother of Chief Grey Eyes, old and infirm, in one of the lodges, supplied with water and food. Colonel Leavenworth placed her in one of the best lodges, with an increased supply, and left the village undisturbed, but before he was out of sight, the lodges, numbering 141, were all fired and quickly destroyed, except the one occupied by the Indian woman, whose domicile was not invaded. It was charged that the lodges were burned by Lieut. William Gordon and Capt. Angus McDonald, employes of the Missouri Fur Company. Gordon was one of the survivors of the Blackfeet attack on the Big Horn, and was noted as one of the most intrepid of the frontiersmen. In 1824 he had some further bloody experiences on the Yellowstone, again spending the winter on the Big Horn, with a band of Crows, causing a number of the Blackfeet, in various encounters, to take up their abode in the "Happy Hunting Grounds," whence none have as yet returned.

When in their villages on the Cheyenne and Grand rivers, the Arikaras depended upon agriculture, rather than the chase, for food, bartering corn with the Cheyenne and other tribes for buffalo robes, skins and meat, hunting in the fall and winter, exchanging the skins obtained by barter and the chase, with the traders for cloth and other things required for their ornament and comfort.

Before the traders came, they made cooking utensils of pottery, mortars of stone for grinding their corn, hoes from the shoulder blade of the buffalo and elk, spoons from the horn of the buffalo, wedges for splitting wood from horn, brooms from stiff grass, knives, spear and arrow heads from flint, and were comparatively a well-dressed, well-fed and happy people.

After the destruction of their villages in 1823, they rejoined their relations in Nebraska, sojourning there two years, returning to the Heart River, and to Knife River, in 1837, and finally settling at Fort Berthold, in 1862.

LEAVENWORTH AND THE TRADERS

The Missouri Fur Company had furnished about forty men for the expedition of 1823, to punish the Arikaras, and had operated with the troops in the attack upon the villages, but Colonel Leavenworth reported that in making the treaty of peace, he met with every possible obstacle which it was in the power of that company to throw in his way. He was very indignant because of the destruction of the Indian villages, and severely censured the officers of the Missouri Fur Company for their interference, excepting from blame Capt. Henry Vanderburg and Lieut. Moses B. Carson, of that company. These gentlemen, in turn, stated that they were extremely mortified at having been selected as the object of Colonel Leavenworth's approbation, and claimed that he had left impassable barriers to the restoration of peace. Major Pilcher's criticism was that the treaty of peace had been made before the Indians had been properly punished.

In reply to these adverse views of Major Pilcher, Gen. Edmund Pendleton

Gaines, in his report to the secretary of war, fully sustained Colonel Leavenworth, claiming it was his right and duty to determine the degree of punishment due the enemy, and to dictate terms of capitulation, and insisting that the victory most acceptable to the enlightened and victorious nation was that obtained at the least expense of blood. The general-in-chief of the army, and the President also, sustained Colonel Leavenworth.

It will be remembered that Lewis and Clark were received by the Arikaras with cordial friendship. Their changed attitude was attributed to the influence of the Sioux. They were dependent upon the Sioux for arms and ammunition and were gradually led astray by them, and after the affair with Colonel Leavenworth, they became intensely bitter in their hostility.

Notwithstanding the outrage of the Blackfeet, there was no attempt made to punish them, and the Missouri Fur Company soon afterward retired from the Upper Missouri, and was succeeded by the American Fur Company, which had posts at the Forks of the Sheyenne, and three posts in the Valley of the James. Lisa's Fort, occupied by him, and acquired by Joshua Pilcher, the head of the Missouri Fur Company in 1812, was on the right or south bank of the Missouri, about twelve miles from Fort Clark. After the Leavenworth campaign Major Pilcher named it Fort Vanderburg in honor of Capt. Henry Vanderburg.

THE PURPOSE OF THE CAMPAIGN

The following extract from the dispatch of Major-General Edmund P. Gaines to John C. Calhoun, United States secretary of war, dated July 28, 1823, discloses the real purpose of the Leavenworth expedition:

"The trade itself, however valuable, is relatively little or nothing when compared with the decided advantage of that harmonious influence or control, which is acquired and preserved, in a degree, if not wholly, by the constant friendly intercourse which the trade necessarily affords, and by which it is principally cherished and preserved. If we quietly give up this trade, we shall at once throw it, and with it the friendship and physical power of near thirty thousand warriors, into the arms of England, who has taught us in letters of blood (which we have the magnanimity to forgive, but which it would be treason to forget), that this trade forms rein and curb by which the turbulent and towering spirit of these lords of the forest can alone be governed. I say alone, because I am decidedly of the opinion that if there existed no such rivalship in the trade as that of the English, with which we have always been obliged to contend, under the disadvantage of restrictions such as have never been imposed upon our rival adversary, we should, with one-tenth the force and expense to which we have been subjected, preserve the relations of peace with the Indians more effectively than they have been at any former period. But, to suffer outrages such as have been perpetrated by the Ricaras and Blackfeet Indians to go unpunished, would be to surrender the trade, and with it our strong hold upon the Indians, to England."

MISSOURI RIVER TRADERS

Thomas Forsythe, a St. Louis trader, visited the Upper Missouri country in 1797. There was then a post known as "Trudeau's" or the Pawnee House, near what is now Fort Randall. There were clerks representing British traders at the Mandan villages near Knife River and at other points, but no permanent establishments.

Lewis and Clark, in 1804, found traders, mentioned elsewhere more particularly, at the Arikara villages, and after they passed up the Missouri River Loisell's post was established thirty-five miles below Fort Pierre in South Dakota, and was found in full operation by them on their return from the Pacific coast in 1806.

Ramsey Crooks, afterwards general agent of the American Fur Company, and Robert McClellan, were also found in the Missouri River trade at this time, and Robert Dickson, then also operating at the headwaters of the Mississippi and on the Minnesota River and at Vermilion, midway between the mouth of the James and that of the Vermilion River. There was a post also at the mouth of the Big Sioux (now Sioux City) which forms part of the border line between South Dakota and Iowa, with headwaters far above Sioux Falls.

Cedar Post, established and destroyed by fire as early as 1810, was near what is now Chamberlain on the Missouri in South Dakota, on Cedar Island. Fort Atkinson, in Nebraska, was near the Council Bluffs, which are in Iowa, about twenty five miles above the modern city of that name, which is across the river from Omaha. It was established in 1819 and abandoned in 1827, and was, in its day, an important military post. St. Joseph, Mo., in the early history of the fur trade, was known as Black Snake Hills. J. P. Cabanna's early post was ten miles above Omaha. This locality was the theater of activity in the fur trade for many years.

A new post, built by the Missouri Fur Company in 1822, was known as Fort Recovery. Charles Bent, Lucien Fontenelle and James Dripps were members of this company. Dripps built several posts on the Missouri River. Fontenelle went to the mountains and became prominent in the fur trade in that region, shipping one season 6,000 pounds of beaver skins down the Yellowstone by mackinaws. This fur was largely used in the manufacture of hats, until about 1834, when silk came into use in its place. There was a trading post on the Missouri known as Fort Lucien, but its exact location cannot now be given. One of the early posts, known as Hanley's, was at Fort Randall, and Brasseau's was in the same vicinity.

Fort Clark, mentioned in the Osage treaties of 1808 and 1822, was forty miles below the mouth of the Kansas River where it joins the Missouri between the states of Kansas and Missouri, and was subsequently known as Fort Osage. Fort Lookout, built by the Columbia Fur Company in 1822, was on the west bank of the Missouri near what is now Chamberlain, S. Dakota. There was an Indian agency at this point for a number of years. This company had posts at the mouths of the Niobrara, White, Cherry, James, Sheyenne, Little Sheyenne, and Heart rivers.

THE ROCKY MOUNTAIN FUR COMPANY

In March, 1822, Andrew Henry and William H. Ashley advertised for and obtained 100 young men to go to the source of the Missouri River, on a contract of from one to three years. They left St. Louis on the 15th, in two keel boats

One of the boats was sunk, and much property lost. Near the mouth of the Yellowstone, the Assiniboines ran off about fifty head of horses that were being led along the bank, compelling the party to stop at the mouth of the Yellowstone, where they established a trading post. Out of this beginning grew the Rocky Mountain Fur Company. The membership consisted of William H. Ashley, Andrew Henry, Jedediah S. Smith, David E. Jackson, William L. Sublette, Robert Campbell, James Bridger, Thomas Fitzpatrick, Samuel Tulloch, James P. Beckworth, Etienne Provost, and others. Ashley, who takes various titles in history, from captain to general, from his connection with the Missouri Militia, was a member of Congress several times from Missouri, and at this time lieutenant governor of that state. The number of men who lost their lives with the Rocky Mountain Fur Company is estimated to be about one hundred.

April 14, 1822, President James Monroe granted a license to trade on the Upper Missouri to Gen. William H. Ashley and Maj. Andrew Henry. These appointments caused considerable anxiety on the part of Gen. William Clark, in his capacity of United States superintendent of Indian affairs at St. Louis, and to his anxious inquiries, John C. Calhoun, of South Carolina, then United States secretary of war, expressed the hope that their conduct would be such as not to disturb the peace and harmony then existing between the Government and the Indians on the Missouri, but rather to strengthen and confirm them.

INDIAN TREATIES OF 1825

Treaties between the United States and the Arikaras, Gros-Ventres, Mandans, Sioux, and Poncas were made in 1825, by the authority of the United States Congress, through a commission composed of Gen. Henry Atkinson, United States army, and Maj. Benjamin O'Fallon, United States Indian agent in charge of the Sioux on the Missouri River.

The commission left St. Louis March 25, 1825, arriving at Council Bluffs, on the Missouri in Southwest Iowa, on the border of Nebraska, April 19th, and remaining at that point until May 12th; their equipment consisting of eight keel boats, supplied with sails, cordelles, poles and paddles.

The "cordelle" was a long line by which from twenty to forty men, on shore, towed the boat when necessary. It was attached to the top of a high mast which served to lift the line above the brush and other obstructions on the bank and was the main reliance, especially when the current was strong and the winds adverse.

The boats were named Beaver, Buffalo, Elk, Mink, Muskrat, Otter, Raccoon, and White Bear, all familiar names in the fur trade, which governed the predominating thought on the frontier at that time.

There were in the expedition convoying the Indian Commissioners 476 men, forty of whom were mounted and kept the boats company by land. Gen. Henry Atkinson was in command of the expedition, with Col. Henry Leavenworth second in command.

TREATY WITH THE ARIKARAS

The expedition arrived at the Arikara villages July 18th, and a treaty with the tribe was concluded, in which they agreed to remain at peace with the whites, to surrender to the United States authorities any one trading unlawfully in the Indian country, and to aid in apprehending horse-thieves, with which the country was infested. Since then they have been at peace with the whites.

After this treaty, the Arikaras recognized the right of the Sioux to the country south of the Cannonball River, which joins the Missouri south of Mandan and Bismarck, and retired to the Knife River region, northwest of that point, which they have continued to occupy.

The expedition arrived at the Mandan villages on the 26th of July, where they made treaties of the same import with the Mandans, Gros-Ventres, and Crows. Trouble was imminent with the Crows at this point. They had found the cannon unguarded, and had succeeded in spiking it with mud, rendering it useless for the time being, and had become very insolent and unreasonable in their demands; whereupon Major O'Fallon knocked one chief down with his pistol, and Interpreter Edward Rose broke his gunstock over the head of another. General Atkinson assembled his troops at once, and the affair was over.

They left the Mandan villages August 6th, and arriving at the mouth of the Yellowstone on the 17th, found three sides of General Ashley's fort, established in 1822, standing, and relative to the site it was recorded in the journal:

"The position is the most beautiful spot we have seen on the river; being a tongue of land between the two rivers, a perfectly level plain, elevated above high water, and extending back to a gentle ascent at a distance of two miles."

General Ashley, with twenty-four men, came down the Yellowstone while they were there, on his way to St. Louis, and went down the river with General Atkinson. He had 100 packs of beaver; a "pack" containing about eighty skins, dependent upon the size of the skin. A portion of the expedition had been 120 miles above the mouth of the Yellowstone, in the hope of meeting and treating with the Assiniboines, but those Indians were absent on the summer hunt. The expedition left the mouth of the Yellowstone August 26th, on their return trip, which was accomplished without having had any trouble with the Indians.

General Atkinson reported that he found no interference by the British of any sort. He did not favor the establishment of a military post in that region, but if that policy should be adopted, he recommended the mouth of the Yellowstone as the proper place for it, and that a dependent post be established near Great Falls.

In all the treaties made with the Indians by General Atkinson and Major Benjamin O'Fallon, embracing the Poncas, Sioux, Mandans, Gros-Ventres, and Arikaras, it was stipulated that the Indians might be accommodated with such articles of merchandise, etc., as their necessities might demand, and the United States agreed to admit and license traders, under mild and equitable regulations, the Indians agreeing to protect such persons.

The leading idea of the treaties was trade with the Indians, and the protection of the persons engaged in it. There was no thought of benefiting or civilizing the Indian.

MORE RECENT TREATIES

Under these treaties the United States, in a measure at least, became responsible for the debts of the Indians to the traders, and as a result of the treaty of 1837, with the Sioux, $90,000 was appropriated for the payment of such debts. One hundred thousand dollars was provided for the same purpose in the treaty with the Sacs and Foxes, and $200,000 to the Winnebagos, and, in 1851, $495,000 was provided to pay the debts of the Sioux to their traders; the distribution of the latter sum becoming the leading element in the Sioux massacre of 1862.

It is the old story over again—the loss of homes to pay for unnecessary and unwise expenditure of borrowed money, or goods purchased on credit—for in all cases the money was taken from the purchase price of the Indian lands, and was claimed by their creditors.

INDIAN DEBTS TO TRADERS

Illustrating the credit system which these treaties tended to encourage, an imported three-point blanket costing $3.50, was sold to the Indians at $10, to be paid for in furs at traders' prices; guns costing $13, were sold for $30; gunpowder costing 20 cents a pound, was sold at $1, and all other goods required by the Indians at proportionate prices. The Indian dollars were in the form of furs; one buckskin, one or two doe skins, or four rat skins, being acceptable for a dollar. Three dollars were allowed for an otter skin, and $2 a pound for beaver skins. The price for goods was about one-half lower when the Indians returned in the spring with their catch of furs, and could exchange furs in hand for goods.

It was estimated that if the traders were paid the full credit price for one-fourth of the goods they sold in that way, they would be amply remunerated for all goods sold on credit.

The usual articles of merchandise taken into the Indian country were three-point blankets, red and blue in color, red and blue stroud—a coarse cloth for clothing—domestic calicos, rifles, shotguns, gunpowder, flints, lead, hoes, axes, tomahawks, knives, looking-glasses, red and green paint, copper, brass and tin kettles, beaver and other traps, bridles, saddles, spurs, silver ornaments, beads, thread, needles, wampum, horses, etc.

There was a struggle among all the traders to obtain the beaver skins. Thomas Biddle, writing from personal knowledge of the fur trade, to Gen. Henry Atkinson, gives the following account of the bickerings between traders:—

"The Indians, witnessing the efforts of these people to cheat and injure each other, and knowing no more important white men, readily imbibe the idea that all white men are bad. The imposing appearance of the army equipment of the white men (reference to the Yellowstone Expedition of 1819), and the novelty and convenience of their merchandise, had impressed the Indians with a high idea of their power and importance, but the avidity with which beaver skins are sought after, the tricks and wrangling made use of, and the degradations submitted to in obtaining them, have induced a belief that the whites cannot exist without them, and have made a great change in their opinion of our importance, our justice, and our power."

INDIAN OPPOSITION TO SETTLERS

The ability of the Indians to find a ready market for their furs, and other products of the chase, and to obtain credit, led them to bitterly oppose the encroachment of settlers, and in this they were encouraged by the traders, whose interests were identical with the Indians' in this respect. In some instances the Indians refused annuities due them from the United States Government, and murdered their fellow tribesmen for accepting presents from the United States officials, believing that they had, in some manner, betrayed their interests.

It was under the influence of the traders that they refused to make treaties, and under pressure from them that they consented, when it was possible to realize considerable sums, to pay alleged debts due from the Indians to the traders.

THE COLUMBIA FUR COMPANY

When the Hudson's Bay and North-West companies consolidated in 1821, about nine hundred men were thrown out of employment, and a number of these sought connection with American companies. The Columbia Fur Company was organized by Joseph Renville, a trader found on the Minnesota River by Pike's expedition in 1805, from men experienced in the fur trade. Though having a small capital, with headquarters at Lake Traverse, on the northeast border of South Dakota, where Renville had been engaged in trade previous to the War of 1812, they established a line of posts on the Missouri River in 1822; among the number Fort Tecumseh at the mouth of Bad River, in Central South Dakota—afterwards changed in location and named Fort Pierre, occupying land across the river from Pierre, the capital of South Dakota. The Premeau House was located on the west side of the Missouri near the present North Dakota state line, Fort Defiance established by discharged employees of the American Fur Company being known as Harvey, Premeau & Company, was located at the mouth of Medicine Knoll Creek, which is northeast of Pierre six miles above the Big Bend of the Missouri. There were, also, Fort Bouis, at the mouth of the Cannonball, and Mitchell's Post, near the present site of Bismarck on the land afterwards entered as a homestead by J. O. Simmons. They also had a post near Mandan, on the Heart River, where there were large Indian villages, abandoned as a result of war with the Sioux and disease; the remaining Indians removing up to the Knife River where they were followed by the traders. Licenses were issued for the Arikara villages and for the Heart River as late as 1831. William Laidlaw and Kenneth McKenzie, former employees of the Hudson's Bay Company, were active in the development of the interests of the Columbia Fur Company, afterwards becoming permanently established at Pierre and Fort Union in connection with the American Fur Company.

The trading posts were called "forts" because they were almost invariably fortified, in order to guard against attack, and to afford shelter to friendly Indians, who might come to the fort to trade, if pursued by their enemies. There were usually two bastions or block-houses on diagonal corners, built of logs or stone, equipped with both artillery and musketry, so arranged that every front could be raked by the fire from the fort, in case of attack.

Fort Clark was on the west side of the Missouri River, near Fort Mandan, built by Lewis and Clark. Tilton's Fort, built by James Kipp in 1822, stood a little above Fort Clark. Its abandonment was forced in 1823, by the hostility of the Arikaras, and in 1825 Kipp re-established a post at the mouth of the White Earth River, northwest of the Fort Berthold Indian Agency, which was sold to the American Fur Company in 1827.

DIVISIONS OF THE AMERICAN FUR COMPANY

Teton River post, at the mouth of the Bad River, near Fort Pierre, was owned by P. D. Papin, Henry Picotte and Carre Brothers, under the firm name of P. D. Papin & Company. The post was built in 1828-29, and sold to the American Fur Company in 1833, Picotte thereafter becoming one of the managers of their vast interests on the Missouri with headquarters at Fort Pierre. Sublette & Campbell also had a post in this vicinity established about this time and sold, in 1833, to the American Fur Company.

In a letter to Lewis Cass, Secretary of War, dated October 24, 1831, Thomas Forsythe spoke of the several divisions of the American Fur Company—details of whose organization have been previously given—operating above St. Louis. The division of Joseph Rolette, of Pembina and Prairie du Chien fame, included all the Indians from the Dubuque mines to a point above Fort St. Anthony, now Fort Snelling, and up the St. Peters River (now Minnesota), to its source, and also all Indians in the Wisconsin and upper part of Rock River region. J. P. Cabanna had the Indians below Council Bluffs, and August P. Chouteau had the Indians in the Osage country. Mr. Rolette procured his goods at Mackinaw, at the head of Lake Michigan, and shipped them by mackinaw boats across Lake Michigan, through Green Bay and the Fox and Wisconsin rivers in Central Wisconsin, to Prairie du Chien on the east bank of the Mississippi River. From Prairie du Chien they were forwarded up the Mississippi by keel-boats and by smaller boats to other points.

Fort George, twenty-one miles below Fort Pierre, was built by Ebbitt & Cutting in 1842, for Fox, Livingston & Company, and like the other establishments became a part of the American Fur Company's trade monopoly.

COLTER AND FINK: CHARACTER SKETCHES

Colter and Fink are samples of the characters who sought the frontier under the stimulating influence of the fur trade, or to take advantage of the opportunity to get beyond the restraint of law.

JOHN COLTER'S RACE FOR LIFE

John Colter was a soldier with the Lewis and Clark expedition, and requested and received his discharge on his return to the Mandan villages, desiring to remain in the Indian country. He was the first to explore the headwaters of the Yellowstone.

At one time he traveled over five hundred miles among the Indians, returning unharmed, but on another occasion he was robbed of all his clothing and of every means of defense and of subsistence and turned out on the prairie, with 500 yards the start, and told to run!

He was followed by several hundred whooping, yelling savages, and outran them all, followed to the last by one Indian who stumbled and fell, when Colter turned on him and killed him with his own weapon. Thereafter he was on the prairie several days before he reached safety.

MICKIE FINK, OUTLAW

Mike Fink, or Mickie Phinck, as he usually wrote his own name, joined Ashley's expedition to the Yellowstone, in 1822.

At Pittsburgh he was barred from the turkey shoots, being an expert shot, and at St. Louis he had a court record for paring a negro's heel with a shot from his rifle, because he thought it would look better after such an operation.

He had two chums, one named Carpenter and the other Talbot. It was their custom to entertain their associates by each in turn shooting a cup of whiskey from the other's head.

Finally they quarreled, and in due time their reconciliation was announced, and Fink, as evidence of their renewed confidence in each other, suggested the cup of whiskey test. The first shot fell to Fink, and Carpenter took his place without flinching, though not without fear, for he knew his man. As Carpenter fell, shot through the forehead, Fink remarked: "Carpenter, you've spilled the whiskey." He then deliberately blew the smoke out of his rifle barrel, and, finally, as he felt compelled to say something, cursed the whiskey, cursed his rifle, and cursed himself.

Later he boasted that he killed Carpenter purposely, and Talbot killed him on the spot. Talbot came to his death by drowning.

The vigilance committees organized in Montana in connection with the development of the mining industries, disposed of a number of the lawless characters infesting this region, and the early courts at Bismarck convicted many and sent them to the penitentiary at Fort Madison, Iowa.

CHAPTER XII

THE CONQUEST OF THE MISSOURI—CONTINUED

FORTY YEARS IN THE HANDS OF INDIAN TRADERS—KENNETH M'KENZIE, "KING OF THE UPPER MISSOURI"—FORT UNION ESTABLISHED—FIRST STEAMBOATS ON THE UPPER MISSOURI—FORTS CLARK, M'KENZIE, MORTIMER AND BUFORD—BATTLE OF FORT M'KENZIE—THE USES AND ABUSES OF INTOXICATING LIQUOR IN THE FUR TRADE—THE SMALLPOX SCOURGE OF 1837, AND CHOLERA EPIDEMIC OF 1845—BEAR RIB PAYS THE INDIAN PENALTY FOR TREASON.

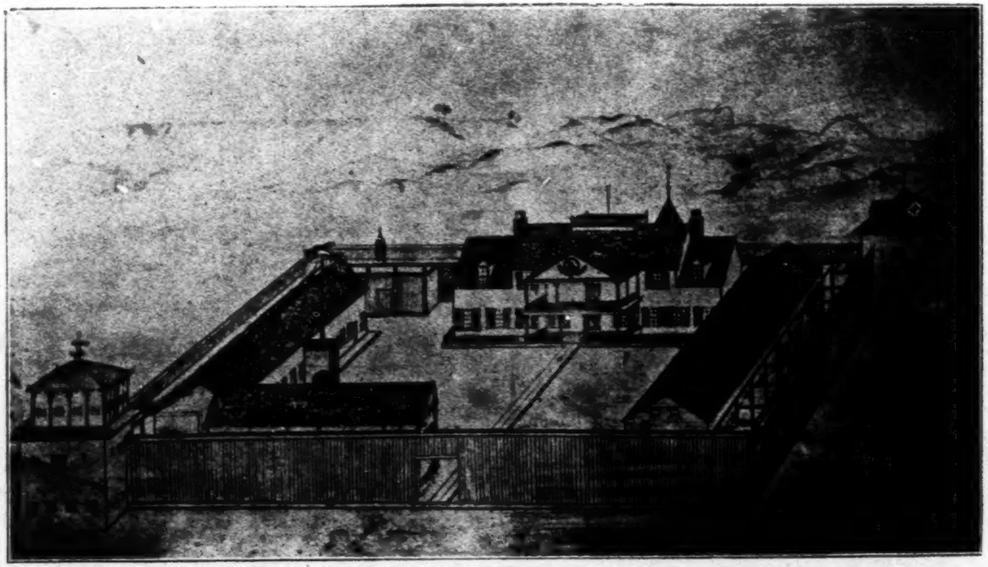
> They are slaves who will not choose
> Hatred, scoffing and abuse,
> Rather than in silence shrink
> From the truth they needs must think:
> They are slaves who dare not be
> In the right with two or three.
>
> —*James Russell Lowell.*

Lewis and Clark, the explorers, as shown in Chapter V, Part One, found the natural inclination of the Indians disposed them to hospitality; their first impulse being to offer food with a greeting in words of friendship for the white men. They were eager for trade that would enable them to obtain means of defense against other tribes, and the articles and implements essential to their comfort and development in Indian life; but under the influence of the Indian trade, as it was prosecuted, their disposition changed and their attitude generally became one of unrelenting hostility.

For forty years the Upper Missouri region was without law, without the influence of schools or churches; given over to an inordinate desire for gain, and to the unrestrained passions of men. Not until Dr. Walter A. Burleigh, and other Indian agents commenced the culture of grain, and the missionaries gained a foothold, was there the slightest advance toward civilization.

"THE UPPER MISSOURI OUTFIT"

Among the traders who joined Joseph Renville in the organization of the Columbia Fur Company, consolidated with the American Fur Company in 1827, to whom allusion has been made, were Kenneth McKenzie and William Laidlaw. The latter had charge of their business at Fort Tecumseh and vicinity, and the Upper Missouri was placed in charge of Kenneth McKenzie. Their organization was a part of the American Fur Company and was known as the Upper Missouri Outfit. Daniel Lamont was a member of this organization. Their



FORT UNION, 1864

From a drawing by a soldier of General Sully's command, expedition of 1864.

headquarters were at Fort Tecumseh, built in 1822, at the mouth of Bad River, moved to higher ground in 1832, and christened Fort Pierre.

Kenneth McKenzie left St. Paul in the spring of 1828, with fifty men, to build a trading post at the mouth of the Yellowstone. The point selected for the post was on the north bank of the Missouri River, almost directly on the line between the present states of Montana and North Dakota, on the identical spot where Mondak, Mont., now stands. Mondak was named "Mon" for Montana and "dak" for Dakota, established as a rival to Buford, and across the line in Montana in order to avoid the prohibition laws of North Dakota. The post was called Fort Union, as it was intended to bring all the lines of trade to a union at that point. The goods for the Upper Missouri Outfit were shipped annually from New York to St. Louis, and thence on, up the river by boats owned by the company, to Fort Pierre, Fort Union, and other Upper Missouri River points.

Fort Union was 200 feet square; the stockade built of logs 1 foot in diameter, 12 feet in height, set perpendicularly, the lower end two feet in the ground. There were two block-house bastions, 12 feet square, pierced with loopholes, on diagonal corners of the fort. There was one opening, a gate of two leaves, 12 feet wide, and in one of the leaves there was a small gate 3½ by 5 feet. As described by Edwin T. Denig, for many years bookkeeper at the fort, in a letter to John James Audubon, the celebrated ornithologist, who visited it in the summer of 1843, and remained two months and four days in the vicinity:—

"The fort was destroyed by fire, in 1831, and rebuilt that year, the bastions, 30 feet high, being built of stone surmounted by a pyramid roof. There were two stories, and the upper one had a balcony for observation. A banquette extended around the inner wall. The entrance was large, and secured by a powerful gate, changed to a double gate in 1837, on account of the dangerous disposition of the Indians because of the smallpox epidemic.

"On the opposite side of the square from the entrance was the house of the bourgeois, or master, a well-built, commodious two-story structure, with glass windows, fireplace, and other modern conveniences. Around the square were the barracks of the employees, the storehouses, workshops, stables, a cut stone powder-magazine capable of holding 50,000 pounds, and a reception room for the Indians. In the center of the court was a tall flag-staff, around which were the leathern tents of half-breeds in the service of the company. Near the flag-staff stood one or two cannon trained upon the entrance of the fort. Somewhere inside of the inclosure was the famous distillery of 1833-34 (built, as will be seen, by McKenzie). All of the buildings were of cottonwood lumber, and everything was of unusually elaborate character."

In connection with the description of the house it was said:—"In the upper story are at present located Mr. Audubon and his suite. Here from the pencils of Mr. Audubon and Mr. (Isaac) Sprague emanate the splendid paintings and drawings of animals and plants which are the admiration of all, and the Indians regard them as marvelous and almost to be worshipped."

Fort Union always had a large force of clerks, artisans, and others employed about the place, and was the most extensively equipped of any trading post. It was built for trade with the Assiniboines, as well as a distributing point.

In May, 1867, the material used in the construction of this famous old trading post, was sold to Capt. William Galloway Rankin of the Thirteenth United States Infantry, then stationed at Fort Union, and used in the construction of Fort Buford. Charles Larpenteur, first mentioned in Part One in connection with buffalo hunting, who had been at Fort Union most of the time since 1833, engaged in the Indian trade, was the last trader at Fort Union, and traded that year 2,000 buffalo robes, 900 elk hides, 1,800 deer skins, and 1,000 wolf pelts; total value, $5,000. After Fort Union was dismantled, he built an adobe building at that point, 96 feet long, but finding it necessary to move to Buford, he built a log building there 120 feet in length.

FORT BUFORD

The Fort Buford reservation was extended to 30 miles square, by executive order promulgated through Headquarters Department of Dakota, July 16, 1868.

In 1871, Alvin C. Leighton was appointed post trader at Fort Buford, arriving on the steamer Ida Reese, May 5, 1871; and May 8th, that year, the opposition stores were closed, and May 14th, Charles Larpenteur left on the steamer Andrew Ackley.

KING OF THE UPPER MISSOURI

Kenneth McKenzie was fond of display, and wore a uniform of blue with gold braid. He was known as the "King of the Upper Missouri." At one time he ordered from England a coat of mail, but for what purpose never developed. His difficulties in trying to secure liquor, which he deemed absolutely essential to his trade, caused him to retire and engage in the liquor business at St. Louis, with a capital of $60,000 as his share of the profit from the Upper Missouri trade.

During a trip to Europe he was represented by J. Archibald Hamilton, and was finally succeeded by Alexander Culbertson, in 1835. In 1845, new opposition having developed, in the firm of Harvey, Premeau & Company, he returned to Fort Union and remained until the following spring.

His son, Owen McKenzie, born of an Indian wife, developed considerable ability, but was dissipated, and was killed by Malcolm Clark on one of the company's boats near Fort Union, in 1863. He had been in charge of a trading post at the mouth of the White Earth River, an important point for trade, for a number of years. Dissatisfied with the action of Clark, who then represented the American Fur Company, an assault was made and he was killed in self-defense.

THE YELLOWSTONE—FIRST STEAMBOAT ON THE UPPER MISSOURI

Before the advent of the steamboat the furs had been sent down the river by mackinaws to St. Louis, where they were collected, weighed, repacked, and shipped by steamboat to New Orleans, and thence to New York. Here they were unpacked, made into bales, and shipped to Europe; excepting some of the finest, particularly the otter, for which China afforded the best market.

McKenzie's success had been so great in opening up trade on the Upper Missouri, that he urged that a steamboat be built for that trade. The American Fur

Company having adopted his recommendation, the "Yellowstone" was built at Louisville, Kentucky, in 1830, and left St. Louis on its first up-river trip April 16, 1831, in command of Capt. B. Young, arriving at Fort Tecumseh, June 19th, and returning to St. Louis with a full cargo of furs.

March 26, 1832, this vessel left on her second trip up the Missouri River, reaching Fort Tecumseh May 31st, where she remained several days, in the meantime the fort's location and name being changed to Fort Pierre, named for Pierre Chouteau, who was a passenger on the boat which went on to Fort Union. This was the first steamboat to reach the mouth of the Yellowstone River. She returned to Fort Pierre June 25th, having made a successful trip, and thereafter annual trips were made by American Fur Company steamboats to Fort Union.

The Indians called the Yellowstone the "fire boat that walks on the water," and were so enthusiastic over the trip that they declared they would trade no more with the Hudson's Bay Company, which, up to that time, had the major portion of the trade of the Blackfeet and Assiniboines.

STEAMER "ASSINIBOINE"—FIRST STEAMER ABOVE THE YELLOWSTONE

The steamer "Assiniboine" accompanied the steamer "Yellowstone" on its annual trip to Fort Union in 1833, having Prince Maximilian for a passenger. She continued her trip some distance above the Yellowstone but was forced into winter quarters by low water, and during the winter her crew built Fort Assiniboine. She was burned at Sibley Island in May, 1835, on her down trip.

FORT ASSINIBOINE

Fort Assiniboine, built by the crew of the steamer Assiniboine in enforced winter quarters, was occupied that winter by Daniel Lamont, whose party secured in trade from the Indians 179 red foxes, 1,646 prairie foxes, 18 cross foxes, 74 badgers, 269 muskrats, 89 white wolves, 196 white hares, 5 swan skins, 4,200 buffalo robes, 37 dressed buffalo cow skins, 12 dressed calf skins, 450 salted tongues, 3,500 pounds of dried meat. The fort was abandoned in the spring of 1835, and was burned by the Indians. Its exact location is not now known, but it marked the first advance of steam navigation above the mouth of the Yellowstone.

THE ANNUAL STEAMBOAT

For the nearly forty years that Fort Union was maintained as a trading post, the arrivals of the annual boat were events which were considered worthy of detailed description by Capt. Hiram M. Chittenden in his "History of the American Fur Trade": "On these occasions," he says, "the dreary routine of the trader's life suddenly changed to unwonted activity. The long looked-for annual boat was in sight!—the great event of the year—with news from the outside world, and all of the business matters that made up the purpose of the journey.

"The fort manned its guns (for it had several small cannon mounted in the bastions), and a hearty salute was fired. The boat vigorously responded. Everybody about the fort crowded to the scene, the bourgeois, for whom a respectful space was made in the crowd, and the clerks, artisans, storekeepers, groups of free trappers, and bands of Indians, forming in all as wild and motley a crowd as a boat ever met in port.

"Immediately upon landing, and even before the interchange of salutations was complete, the unloading of the cargo was begun. No time was to be lost in the navigation of the Missouri. Should the spring rise go down before the return of the boat, she would have to stay up all the year, as happened with the steamer Assiniboine in 1834-5.

"Night and day the roustabouts (deck hands) of the boat and the *engagees* (employees) of the fort, were busy carrying off the goods and carrying on the furs. A banquet on the boat, and another with the bourgeois, completed the festivities, and almost before the denizens of the fort had taken their eyes from the strange visitor, she hauled in her lines, and was speeding back to St. Louis."

From St. Louis to Fort Union was 1,760 miles. From a record kept by Charles Larpenteur from 1841 to 1847 the average speed of the steamboats from St. Louis to Fort Union was forty-four miles a day for the up trip and 123 miles for the down trip; the time for the up trip ranging from eighty days in 1841 to forty days in 1847, and for the down trip from thirty-one days in 1845 to fourteen days in 1847. On the down trip in 1832 the steamer Yellowstone carried 1,300 packs of robes and beaver. The weight of beaver shipped July 11 that year was 10,230 lb., and they expected to take on 120 to 130 packs from Pierre. Lucien Fontenelle left Fort Union that year on September 24th with 6,000 lb. of beaver from the Yellowstone, shipped in mackinaws as stated in Chapter XI.

FORT CLARK

Fort Clark was established in 1830 by James Kipp—previously mentioned as having also built Tilton's Fort—under the direction of Kenneth McKenzie, for the Mandan trade. It was on the right or south bank of the Missouri River, fifty-five miles above the Northern Pacific Railroad bridge at Bismarck, on a bluff, in an angle of the river, on the opposite side of the river from Fort Mandan—built by Lewis and Clark in 1804—and was named for Governor William Clark, the Captain Clark of the Lewis and Clark expedition. The fort was 132 by 147 feet, substantially built, and one of the most important posts on the Missouri River, aside from Fort Union.

Having been abandoned by the traders, who had moved to Fort Berthold, it was in the possession of the Arikaras in 1862, when, most of the warriors being absent on their winter hunt, it was attacked by the Sioux and entirely destroyed. The last vestige of the Mandan villages, later known as the "Ree" Village, having disappeared, the Arikaras joined the Mandans and Gros-Ventres (Hidatsa) at Fort Berthold.

FORT PIEGAN

In 1831 James Kipp built Fort Piegan for the Blackfeet trade, at the mouth of the Marias River, and when he went down the river with his furs, the next spring, it was burned by the Indians.

FORT M'KENZIE

Through an interpreter, Jacob Berger, who had become acquainted with the Blackfeet when in the employ of the Hudson's Bay Company, Mr. McKenzie succeeded in getting the Blackfeet and Assiniboines to make a treaty of peace. The treaty is dated November 29, 1831, and was made at Fort Union. McKenzie represented the Blackfeet, who had been at war for many years with the Assiniboines, and was mentioned in the treaty as Governor McKenzie, ambassador of the Blackfeet, Piegans and Bloods, and the Indian parties were designated "Lords of the soil extending from the banks of the great waters unto the tops of the mountains upon which the heavens rest," and they solemnly covenanted to "make, preserve and cherish a firm and lasting peace, that so long as the waters run or the grass grows, they may hail each other as brothers, and smoke the calumet of friendship and security, and forever live in peace and as brothers in one happy family." Tahatka, also known as Gauche, was a party to this treaty.

As a result of this treaty, in 1831, David D. Mitchell established Fort McKenzie, six miles above the mouth of the Marias River and a few miles only from the point which afterwards became Fort Benton, the head of navigation on the Missouri River. It was built in the regulation manner, 140 feet square, with an exceptionally strong gate, and stood 120 feet back from the river.

The returns from Fort McKenzie for the season of 1834-5 were 9,000 buffalo robes, 1,020 beaver, 40 otter, 2,800 muskrat, 180 wolves, 200 red foxes, 1,500 prairie dogs, 19 bears, 390 buffalo tongues brought down to Fort Union by keel boats and mackinaws with a force of thirty-five men.

From the first the fort promised excellent results, and was maintained until 1843, when, through the wanton murder of three Indians by inmates of the post (Chardon and Harvey), its abandonment was forced, and its site is now known as Brule Bottom. Harvey murdered the wounded and scalped them, and forced the squaws in the fort to execute the scalp dance about their remains. Afterwards Harvey deliberately murdered one of his co-employees, at Fort Union, and flourishing his gun, which was yet smoking, shouted: "I, Alexander Harvey, have killed the Spaniard. If there are any friends of his that want to take it up, let them come on!"

MAXIMILIAN'S VISIT

The annual boat which arrived at Fort Union in 1833 brought a distinguished visitor in the person of Maximilian, Prince of Wied. There was accompanying him an artist of the name of Charles Bodmer. They were visiting at Fort McKenzie when a number of Blackfeet, or Piegans, a tribe of the Blackfeet confederacy, were encamped about the post.

BATTLE OF FORT M'KENZIE

The Piegans had been drinking heavily of intoxicating liquors, and singing most of the night, and early in the morning of August 28, 1833, they were attacked by the Assiniboines without the slightest warning, and many of them killed before they could be aroused from their slumbers. The gate of the post was thrown open, and they were hurried into the fort as rapidly as possible, though some were killed at the very gates before the defense was fully organized, the women having blockaded the gate by crowding into the narrow passage-way with their burden of horse and camp equipment of every nature.

Maximilian thus describes the thrilling scene: "As fast as the Piegans got in, they mounted the palisades and opened fire. When it was found that the attack was intended for the Blackfeet, and not for the whites, Mitchell ordered the men to stop firing. Two of the employees, however, persisted in firing, and went outside and killed a nephew of the principal chief.

"While all of this was passing, the court yard of the fort presented a very strange scene. A number of wounded men, women, and children were laid or placed against the walls; others in a deplorable condition were pulled about by their relatives amid tears and lamentations. White Buffalo, whom I have mentioned, and who received a wound in the back of his head, was carried in this manner, amid singing, howling, and crying. They rattled the *schischikue* (sic) in his ears, that the evil spirit might not overcome him, and gave him brandy to drink. He, himself, though stupefied, sang without intermission, and would not give himself up to the evil spirits. Otsequa-Stomik, an old man of my acquaintance, was wounded in the knee by a ball which a woman cut out with a penknife, during which operation he did not betray the least symptom of pain. Natan-Otanee, a handsome young man with whom we became acquainted on our visit to Kutonaoi, was suffering dreadfully from severe wounds. Several Indians, especially young women, were likewise wounded. We endeavored to assist the wounded, and Mr. Mitchell distributed balsam, and linen for bandages, but very little could be done. Instead of suffering the wounded who were exhausted by loss of blood to take some rest, their relatives continuously pulled them about, sounded large bells, and rattled their medicines or amulets, among which were the bear's paws which White Buffalo wore on his breast.

"Only a spectator of this extraordinary scene could form any idea of the confusion and noise, which was increased by the loud report of the musketry, the moving backward and forward of the people carrying powder and ball, and the turmoil occasioned by about twenty horses shut up in the fort."

The main body of the Blackfeet was ten miles away, and messengers having been sent hurriedly for their help (to quote from Maximilian), "They came galloping in, grouped from three to twenty together, their horses covered with foam, and they, themselves, in the finest of apparel, with all kinds of ornaments and arms, bows and quivers on their backs, guns in their hands, furnished with their medicines, with feathers on their heads; some had splendid crowns of black and white eagle feathers, and a large hood of feathers hanging down behind, sitting on fine panther skins lined with red; the upper part of their bodies partly naked, with a long strip of wolf skin thrown across their shoulders, and carrying shields adorned with feathers and pieces of colored cloth. A truly original sight."

The Assiniboines, who proved to be the best fighters, finally withdrew toward the Bear Paw Mountains, only retiring when their ammunition was exhausted.

MAXIMILIAN, PRINCE OF WIED

Alexander Philip Maximilian, Prince of Wied (Neuwied), was a major-general in the army and a scientific author of distinction in Rhenish Prussia. He

HORSE RACING OF SIOUX INDIANS

From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

FORT MACKENZIE, AUGUST 28, 1833

From a painting by Charles Bodmer from "Travels to the Interior of North America in 1832-3-4," by Maximilian, Prince of Wied, 1843.

came to North America as a naturalist in 1832, arriving in Boston on the Fourth of July, and returned to Europe on a Havre packet from New York on July 16, 1834. His "Travels in the Interior of North America," in three volumes, translated from the German by Hannibal Evans Lloyd, were published in 1843. He brought with him a skillful illustrator, Charles Bodmer, a Swiss artist, from whose sketches plates were engraved and reproduced in the work.

From the translated preface of Maximilian to his great work, the following data are taken: At St. Louis on April 10, 1833, the party joined a fur-trading expedition on its annual trip by the steamer Yellowstone to the posts of the Upper Missouri, by the advice of Gen. William Clark and Maj. Benjamin O'Fallon. On the 22d they were at Fort Leavenworth, and on the 2d of May reached Bellevue, just below the present Omaha. May 18th they had the first sight of buffalo, and arrived at Fort Pierre, the company's main post, among the Sioux the last of May.

At Fort Pierre the travelers were transferred from the "Yellowstone" to the "Assiniboine," a more recently-built boat and larger, but with a lighter draft. The description of this, "the first steamer above the Yellowstone," on a former page, embraces the item that the prince was on board. Passing the Arikara villages, they steamed into the land of the Mandans and the Minetarees (Hidatsa), where, on June 18th, they landed at the company's post, Fort Clark, remaining there one day, and then moving up to the mouth of the Yellowstone River, where Fort Union was reached on the 24th of June. Two weeks were passed at Fort Union, and then they embarked on a keel-boat, and continued their journey to Fort McKenzie at the mouth of the Marias River among the Blackfeet. During their stay there of two months, they were initiated into the mysteries of the fur trade, and witnessed the battle between the Blackfeet (Piegans) and Assiniboines, as described in notes quoted, and Maximilian observes that the song of the Assiniboine warriors resembled that of the Russian soldiers heard in the winter of 1813-1814.

In company with Toussaint Charbonneau, Lewis and Clark's former interpreter, they attended various ceremonies, dances and feasts, sketched many portraits of the chiefs, and studied the manners and customs. The succeeding winter was spent at Fort Clark, and on the breaking up of the ice the following spring they went down the river, and May 18th were at Fort Leavenworth. Coming down in the Assiniboine, there was a fire on the steamer (at Sibley Island, near Bismarck), and much of their collection, which was uninsured, was destroyed, in view of which contingency the prince advises other travelers to insure their collections. They went east, homeward bound, by way of Niagara Falls and New York.

In the author's preface he declares that the works of American writers on this subject, with the exception of Cooper and Washington Irving, "cannot be taken into account," as in writing for their countrymen they "take it for granted that their readers are well acquainted with the country." He has "endeavored to supply the deficiency to the best of his ability," but "a faithful and vivid picture of these countries and the original inhabitants can never be placed before the eye without the aid of a fine portfolio of plates by the hand of a skillful artist."

The journal of Alexander Culbertson, then a young fur-trade clerk, confirms these interesting reminiscences of Prince Maximilian. Culbertson accompanied the prince from Fort Union to Fort McKenzie, and says the prince was from "Coblentz on the Rhine." Kenneth McKenzie, subsequently, visited him at his palace at Coblentz. He was in this country hunting for experience and opportunity to view frontier life, and with his presence at the battle of Fort McKenzie, and the hardships endured in his camp at Fort Clark the following winter, it may be assumed that he got his full measure of experience, which enabled him to write so entertainingly and accurately of the Indians. He also published a book entitled "A Systematic View of Plants Collected on a Tour on the Missouri River," and his library and collections are among the chief treasures of Neuwied. He died in 1867, at the age of eighty-five.

CHARDON AND HARVEY

Francois A. Chardon had charge of Fort McKenzie for some years, and his colored servant having been killed by the Indians, he planned to attack them when they should next come to the post to trade. Accordingly, Alexander Harvey, one of the most desperate men in the fur trade, as has been shown, acting in concert with Chardon, trained the post cannon on the gate, and was to fire the moment the gate was opened, when it was expected the Indians would flee in a panic and abandon the rich furs which they had brought for trade. The gate was thrown open, Chardon began firing, but Harvey's shot being delayed a moment, the Indians scattered and but three were killed and three wounded.

Chardon scarcely dared go beyond the gates of the fort after that, and the post was finally abandoned; the company feeling obliged to dispense with the services of Harvey, who established an opposition company known as Harvey, Premeau & Company, in 1845, as stated, with headquarters at Fort Defiance, previously mentioned as located six miles above the Big Bend of the Missouri, and continued in business several years.

The uneasiness of the Blackfeet, however, was attributed by Laidlaw of the Upper Missouri Outfit, who was then at Fort Union, to "certain retrenchments of liquor heretofore given them in their ceremonies, the discontinuance of which has become absolutely necessary for the better regulation of that post."

SUBLETTE'S FORT WILLIAM

In 1833 McKenzie's success had been so great that furs valued at upwards of $500,000 were shipped from the Upper Missouri. This led to competition, and that fall William L. Sublette and Robert Campbell, spoken of in relation to a division of the American Fur Company, established a new post at the mouth of the Yellowstone on almost the identical spot where Fort Buford was later built. They put in an immense stock of goods, hired popular clerks and interpreters, who had formerly worked for McKenzie, and a fierce rivalry was the result; McKenzie giving his men authority to use any means necessary to hold the trade, and to pay any price necessary to obtain it. As high as $12 was paid for beaver skins, the usual price being $3, and smuggled liquors were freely used by both contestants, with the result that Fort William, as the post was called, was abandoned the following year.

Fort William on the Missouri was completed on Christmas day, 1833. It was 150 feet front, 130 deep. The stockade was of cottonwood logs 18 feet in length, hewn on three sides, set three feet in the ground. The trader's house was a double cabin, 18 by 20 feet, with a passage between. The store and warehouse were 40 feet in length, 18 feet wide. There were two bastions, a carpenter shop, blacksmith shop, ice house, meat house, etc. It was later moved back from the river on account of the rise cutting away the bank, called Fort Mortimer, and occupied under that name by Fox, Livingston & Company, alluded to in connection with Fort George in 1842.

LIQUOR FOR THE YELLOWSTONE TRADE

In accordance with the act of Congress of July 9, 1832, prohibiting the introduction of liquors into the Indian country, inspectors were placed at Fort Leavenworth to prevent shipments by boat. The boats which went up the river in 1831, and the early boat in 1832, had been untrammeled. Sublette and Campbell prevailed upon Gen. William Clark to allow them to ship liquors, and a like privilege was granted to Mr. Chouteau, of the American Fur Company, but his shipment of 1,400 gallons of liquor was confiscated at Fort Leavenworth, and other shipments were intercepted and confiscated.

In 1833 Kenneth McKenzie, having failed in an attempt to get a considerable amount of liquor by the inspectors, is quoted as saying: "They kicked and knocked about everything they could find, and even cut through our bales of blankets, which had never been undone since they left England."

THE DISTILLERY AT FORT UNION

He could scarcely rest under his failure to secure intoxicants, which he knew the opposition possessed, and against the advice of the officers of the American Fur Company, who were certain to be held responsible for his acts, he established a distillery at Fort Union in 1833, arguing that to manufacture liquor in the Indian country was not equivalent to introducing it, and, therefore, was not a violation of the law. He shipped men to Iowa, and set them at work raising corn for his still, and in the meantime secured a supply from the Mandans for present needs, and succeeded in making, as he expressed it, "as fine a liquor as need be drunk, from the fruits of the country."

He was a lavish entertainer, and took great pride in his post, and when a party of opposition traders visited him, he entertained them in his accustomed manner, showing them all of the features of the post, including his distillery, dilating on its merits, but when they took leave he refused to sell them liquor, and charged them traders' prices for their supplies. This offended them, and one of them, Capt. Nathaniel Wyeth, noted for his expedition to the Columbia River, made complaint on his arrival at St. Louis, which resulted in the destruction of the distillery, and it was with great difficulty that the company retained its license.

To meet this evasion of the law, Congress passed the drastic legislation of 1834, under which steamboats, or any other means of conveyance, might be confiscated if found carrying liquors into the Indian country, and prohibiting its manufacture.

Illustrating the use of alcohol in the Indian trade, Charles Larpenteur relates that he went to an Indian camp when it was so cold that his mules were frozen to death in the shelter provided for his team, and the Indians were suffering for the necessaries of life, and yet he secured 180 buffalo robes for five gallons of alcohol, on which the whole camp got drunk twice. He obtained thirty more robes for "goods," there being no more liquor, and hardly any robes, left in camp.

As George Bancroft, the historian, says, in speaking of the influence of whisky on the Indians: "Whisky as applied to the noble savage is a wonderful civilizer. A few years of it reduces him to a subjection more complete than arms, and accomplishes in him a humility which religion can never achieve. Some things men will do for Christ, for country, for wife and children; there is nothing that an Indian will not do for whisky."

In the attack by the Indians on Fort McKenzie, the defenders managed to get some alcohol to the Indians, and by that means stopped the battle, and on another occasion when the Indians became troublesome at Fort Union, they were supplied with whisky mixed with laudanum, which put them all to sleep, but fortunately none were killed by the experiment.

ILLICIT TRADE AT FORT WILLIAM

Notwithstanding the strict laws and rigid inspection, Sublette & Campbell had been able to secure all the liquor necessary for their trade, and in opening their post at Fort William gave a striking example of its use among the Indians. Charles Larpenteur, who was in charge of the liquor sales, says:

"It was not until night that we got ready to trade. It must be remembered that liquor was the principal and most profitable article of trade, although it was strictly prohibited by law, and all boats on the Missouri were thoroughly searched at Fort Leavenworth. Notwithstanding this, Mr. Sublette managed to pass through what he wanted. * * * The liquor trade started at dark, and soon the singing and yelling commenced. The Indians were all locked up in the fort, for fear that some might go to Fort Union, which was about 2½ miles distant. Imagine the noise! Five hundred Indians with their squaws, all drunk as they could be, locked up in that small space! * * * Gauche (the Indian chief) had provided himself with a pint cup, which I know he did not let go during the whole spree, and every now and then he would rush into the store with his cup, and order it filled, and to 'hurry up'.

"The debauch continued during that entire night and well into the next day, Gauche being the leading figure until the end, while Indians in stupor from drink lay in every direction.

"Back in the mountains whisky was sold at $5 a pint, but here at the opening the price was $1 per pint. Salt and sugar, and later coffee, were the same price."

SMUGGLING LIQUOR

Writing to Gen. Henry Atkinson in 1819, Thomas Biddle observed: "So violent is the attachment of the Indian for it (intoxicating liquor) that he who gives most is sure to obtain the furs, while should anyone attempt to trade without it, he is sure of losing ground with his antagonist. No bargain is ever made without it."

In 1843 the Omega was the American Fur Company's annual boat, carrying supplies for the Yellowstone trade. Joseph A. Sire was master, with Joseph La Barge at the wheel. John James Audubon, the celebrated ornithologist, was a passenger, one of a party of scientists. The boat carried a supply of ardent spirits for the use of the party, under permit from the Indian authorities, and the usual supply for the Indian trade, in defiance of the laws governing intercourse with the Indians.

Captain Sire had anticipated inspection at Fort Leavenworth, but they escaped that post, and at Bellevue there was no inspector, but at Hart's Bottom, a few miles above Bellevue, Capt. John H. Burgwin, of the First United States Dragoons, brought the boat to by a shot across the bows, and presented his credentials as inspector. Mr. Audubon presented his card, and expressed a desire to see the commandant of the military camp about four miles distant, and Captain Burgwin courteously accompanied him to the camp. While he was thus engaged, Captain Sire prepared for inspection. There was a track around the boat, in the hold, and cars for moving heavy freight. The liquor covered by the scientists' permit was freely exposed, and its quality tested, but the traders' supplies were loaded on the cars, and with muffled wheels, silently moved from one part of the boat to another, while the inspectors were peering into the dimly lighted corners, to make sure that nothing was escaping their attention, and the boat passed on with a clean bill. The trick, however, was discovered and could not be used again.

The next year, 1844, the Nimrod made the annual trip with the same officers. The Indian agent at Bellevue made a most rigorous inspection. Every package was broken and every bale pierced by sharp pointed rods. While this was going on a consignment of flour in barrels for the trader at Bellevue was being unloaded and placed in the warehouse, and that night, while the good man slept, the barrels were reloaded, and the boat proceeded up the river without the usual clearance. The liquor was packed in the barrels of flour.

Hiram M. Chittenden, in his "History of the American Fur Trade of the Far West," says: "The depths of rascality into which this traffic (in liquor) fell, might well stagger belief, were they not substantiated by the most positive evidence. The liquor was generally imported in the form of alcohol, because of the smaller compass for the same amount of poison. It was stored in every conceivable form of package. In overland journeys it was generally carried in short, flat kegs, which would rest conveniently on the sides of pack mules. When carried by water, it was concealed in flour barrels, in bales of merchandise or anywhere it would most likely escape discovery. * * * In retailing the poisonous stuff—a pure article never found its way to the Indians—the degree of deception could not have been carried further. A baneful and noxious substance to begin with, it was retailed with the most systematic fraud, often amounting to sheer exchange of nothing for the goods of the Indian. It was the policy of the shrewd trader to first get his victim so intoxicated that he could no longer drive a good bargain. The Indian, becoming more and more greedy for liquor, would yield up all he possessed for an additional cup or two. The voracious trader, not satisfied with selling his liquor at a profit of many thousand per cent, would now cheat in quantity. As he filled the cup, which was the standard measure, he would push in his big thumb and diminish its capacity by one-third. Sometimes he would substitute another cup with bottom thickened by running tallow into it until it was one-third full. He would also dilute the liquor until, as the Indian's senses became more and more befogged, he would treat him to water, pure and simple."

Later on, the difficulties of obtaining intoxicating liquor increased to such a degree that coffee was used to a great extent to take its place. Pots of coffee were kept ready for use, and with sugar, was almost as efficacious in composing the Indian's mind and disposing him to liberality in trade as alcohol, with none of its evil effects.

NATURAL DISLIKE OF THE ARIKARAS AND CROWS

It will be remembered that Lewis and Clark were surprised to find that the Arikaras indignantly refused their offer of intoxicating liquors.

Charles Larpenteur states that the Crows in 1833 roamed over the prairies in considerable bands, and thus describes their attitude toward the liquor question as he observed it the next day after a trade, as a visit for that purpose was called: "They had just made their trade at the fort, one day's march from where we were. The Crows did not drink then, and for many years remained sober. It was not until a few years ago, when they were driven out of their country by the Sioux, and became a part of the tribes on the Missouri, that they took to drinking with the Assiniboines. As they did not drink, their trade was all in substantial goods, which kept them always well-dressed and extremely rich in horses; so it was really a beautiful sight to see that tribe move."

Like other tribes, when the curse of intoxicating liquors became fastened upon the Crows, their riches, their homes, and their pride disappeared.

IN MILITARY AND CIVIL LIFE

In later days a visit to the military trading posts would have shown similar frauds, equally disreputable, practiced upon United States soldiers, with a view to separating them from their money. Soldiers in drunken stupor might be seen lying around the trader's store, reminding one of the dead upon a battlefield. The proceeds from the pay-table having been squandered, usually within two or three days, by a large percentage of the soldiers, an era of temperance and good order would prevail until the next pay day.

In civil life frauds upon those who habitually linger around retail liquor stores after pay day are quite as pronounced. They may be held in check, sometimes, by municipal restraint, but the result is the same.

From its earliest history the use of intoxicating liquor has proven harmful, demoralizing and disgusting, in its general results. There is no need to dwell on the suffering of widows and orphans, or even to recall the miserable wrecks and tragedies which come to one's notice during the course of an ordinary human life. It is enough to know that there is no place in the employ of great industries for the man who uses intoxicating liquors. He is not a safe man in any official position, and business interests under his management are almost certainly doomed to failure. The life insurance companies reject him as a risk; he is looked upon with disfavor in society, and is at a disadvantage in every walk of life that is open to him. Maximilian, in his account of the great smallpox scourge, speaks of the enervating influence of ardent spirits.

MORTALITY AMONG THE INDIANS—THE SCOURGE OF 1837

The smallpox scourge of 1837, which was variously estimated by the writers of that period to have destroyed from 60,000 to 150,000 Indians—the true figures from later information being about seventeen thousand—originated from a case on the steamer St. Peter, the annual boat of the American Fur Company, on its way up the Missouri to Fort Union in June of that year. Every possible means was adopted to keep the Indians away from the boat, but knowing that it was loaded with supplies for them, they were certain that these efforts were part of a plan to defraud. At Fort Clark, then in charge of Francois A. Chardon, a Mandan chief stole a blanket from a watchman on the boat who was dying with the disease, and though offered a new blanket and pardon for his offense, the infected blanket could not be recovered and the contagion was spread by this means.

Jacob Halsey, an extremely dissipated man, who was in charge of Fort Union, and was returning from a temporary absence, was a passenger on the boat, and although he had been vaccinated, was sick with the disease on his arrival at Fort Union. One of his clerks, Edwin T. Denig, and an Indian also had the disease, whereupon it was determined to adopt heroic measures for defense, "and have it all over with in time for the fall trade." Accordingly, thirty squaws stopping at Fort Union were vaccinated with the real smallpox virus from the person of Halsey, and a few days later twenty-seven of them were stricken with smallpox.

Entire Indian villages had been exposed while crowding around the boat, and Indians from the boat, or who had visited it, went to the Blackfeet, Assiniboine, and other tribes, and when the epidemic was at its height, the Indians came in from the chase for the fall trade, crowding about the fort in spite of every effort to keep them away.

The contagion began to spread about the middle of June, and raged as long as there were Indians who were not immune to attack. The victims were seized with severe pains in the head and back, and death resulted generally in a few hours, the disease taking its most malignant form. In the words of an eyewitness of the scenes: "In whatever direction we go, we see nothing but melancholy wrecks of human life. The tents are still standing on every hill, but no rising smoke announces the presence of human beings, and no sounds but the croaking of the raven, and the howling of the wolf, interrupt the fearful silence."

Henry Boller, who was eight years engaged in trade on the Missouri River, in his book entitled "Among the Indians," states that in one family all had died save one babe, and as there was no one to care for that it was placed alive in the arms of its dead mother, and, wrapped with her in her burial robes, laid on the scaffold, the Indian method of burying the dead.

Prince Maximilian is quoted as writing at the time of the scourge: "The destroying angel has visited the unfortunate sons of the wilderness with terrors never before known, and has converted the extensive hunting-grounds, as well as the peaceful settlements of these tribes, into desolate and boundless cemeteries * * * The warlike spirit which but lately animated the several tribes, and but a few months ago gave reason to apprehend the breaking out of a raging war, is broken. The mighty warriors are now the prey of the greedy wolves, and the few survivors, in utter despair, throw themselves upon the whites, who, however, can do little for them. The vast preparations for the protection of the frontier are superfluous; another hand has undertaken the defense of the white inhabitants of the frontier, and the funeral torch that lights the redman to his dreary grave, has become the auspicious star of the advancing settler and the roving trader of the white race."

In the translator's preface to Maximilian's "Travels in the Interior of North America," may be found a letter from the prince, dated New Orleans, June 6, 1838, in which he bears corroborative testimony to the efforts of the company's officers to retard the progress of the plague. He says that the smallpox was communicated to the Indians by a person who was on board the steamboat which ran up the previous summer to the mouth of the Yellowstone River, to carry both the Government presents and the goods for the barter trade of the fur dealers; and the translator, Hannibal E. Lloyd, adds that it was the American Fur Company's steamboat St. Peter which carried the annual outfit and supplied the Missouri River forts, and that Larpenteur, in charge of Fort Union, says the vessel arrived June 24, 1837; that the officers could not prevent intercourse between the Indians and the vessel, although they exerted themselves to the utmost.

The smallpox epidemic was the direct result of the demoralizing influence of the use of intoxicating liquors. There was neglect on the boat which was making its way into the heart of the Indian country, and criminal disregard of danger, and neglect on the part of the authorities at Fort Union. There was not a deliberate purpose to murder the Indian families vaccinated with the smallpox virus, and "have it over," but the result would have been the same had that been the case. Alfred Cummings, United States superintendent of Indian affairs, in reporting the result of investigations on his trip to the Upper Missouri tribes in 1855, said of the smallpox scourge of 1837: "Every Indian camp from the Big Bend of the Missouri to the headwaters of the Columbia and Puget Sound was a scene of utter despair. To save families from the torture of the loathsome disease, fathers slew their children, and in many instances inflicted death upon themselves with the same bloody knife. Maddened by their fears, they rushed into the waters for relief, and many perished by their own hands, gibbeted on the trees which surrounded their lodges."

With reckless abandon, born of the excessive use of intoxicating liquors and of ignorance, the Indians took no precautions against the disease, which was allowed to run its course. Some blamed the whites for introducing it and threatened vengeance, while others regarded it a judgment of the Great Spirit for their warfare upon the whites, who, they then realized, were their true friends.

The Sioux suffered less than other Indians, for the reason that they scattered, and the families isolated themselves as much as possible. The smallpox again prevailed among the Indians in 1856, but to a much less alarming extent.

CHOLERA IN 1845

In 1845 cholera prevailed throughout the West, on the Great Lakes, and on the Missouri River steamers, and to some extent at the trading posts, and in Indian villages. There were many deaths among the men on the steamboats, but cholera cannot abide where cleanliness and fresh air are the rule, and it was quickly stamped out.

A COUNTRY WITHOUT LAWS

A lawless condition, as has been said, prevailed on the Upper Missouri for forty years, from its occupation by the American fur traders in 1822 until the organization of Dakota Territory in 1861. There was nothing to restrain the evil propensities of men. Theoretically, the laws of Louisiana, Missouri, Minnesota, and Nebraska had been successively extended over the country, but there was no means of enforcement, and the United States laws governing intercourse with the Indians were not obeyed.

Murders were the frequent results of envy, jealousy, hatred, malice, or the excessive use of intoxicating liquors, and generally speaking, no punishment was attempted beyond an occasional reprisal. The condition grew from bad to worse from year to year and when Fox, Livingston & Company, known as the "Union Fur Confederacy," retired, in 1843, they left fifty or more lawless characters in the Indian country. Incidents were numerous of murders from one cause or another, causing but a passing comment.

MASSACRE OF THE DESCHAMPS

The Deschamp family consisted of the parents, ten children, and a nephew. Francois Deschamp, Sr., was accused of killing Governor Robert Semple, of the Selkirk Colony, June 16, 1816, as related in Chapter VII, Part I, after he was wounded by Cuthbert Grant; of robbing and murdering others wounded in that affair; of having twice robbed Fort Union, and of being concerned in numerous other crimes. His son, Francois, Jr., was the interpreter at Fort Union, and had interfered with the family relations of Baptiste Gardepe, another employee of the fort, who had demanded satisfaction of the Deschamp family, and they had made several attempts to kill him. Finally a conspiracy was formed at Fort Union to kill both father and son, and in accordance with the arrangements, Gardepe killed the elder Deschamp with a blow from a rifle, completing the murder with a knife, while the young man was merely wounded. This was in July, 1833. There were then about seventy men at Fort Union, and a number of half-blood families at Fort William, where the Deschamps resided, and where some of the men from Fort Union lived; Fort William having been abandoned by the opposition company.

During a carousal following the departure of the annual boat June 28, 1836, Madame Deschamp aroused the vengeance of her sons by the taunt that if they were men, they would avenge the death of their father, whereupon they killed Jack Rem, whose family hurried to Fort Union, and a party was raised and supplied with arms by McKenzie, who surrounded the Deschamp house, and finally set it on fire. Before the affair ended they had killed the mother and other members of the family, in all eight at this time, and one, a child of ten, died the next day from wounds. One of the assaulting party, Joseph Vivier, was killed, and one wounded.

OTHER LAWLESS ACTS

A good-looking young fellow at Fort Union, Augustin Bourbonnais, made advances to the Indian wife of Kenneth McKenzie, who directed John Brasseau, the undertaker—ready to undertake any job, ranging from the burial of the dead to furnishing the victim—to shoot him.

Bourbonnais, having been forced out of the fort, was lying in wait outside, threatening to shoot McKenzie at sight; instead, he, himself, was shot by Brasseau, but not fatally, though laid up nearly a year from his wound.

Christmas, 1838, the hunter at Fort Union was killed and thrown into the fire by two of his co-employees, who were tried by the drum-head court-martial which regulated the affairs of the fort, found guilty, and sentenced to be hanged. The court, however, being in doubt as to its authority to carry out the sentence, it was commuted to thirty-nine lashes, and when John Brasseau showed a disposition to put too much vigor into the whipping, the Court would say: "Moderate, John, moderate." Two men were caught stealing horses belonging to the fort, and there was then no moderation. Brasseau brought the blood at every stroke.

It was freely charged that McKenzie was directly responsible for the attack by the Crows upon the outfit of Thomas Fitzpatrick in 1833. They ran off 150 horses, looted the camp of $20,000 worth of furs, equipments and merchandise; some of the furs, plainly marked, being sold to McKenzie, who refused to give them up unless paid what they had cost him.

Narcisse Le Clerc was proceeding up the river to engage in trade on his own account. A shot across the bows stopped his boat, and the American Fur Company took possession of boat and cargo. Le Clerc sued the company in the United States Court at St. Louis, secured judgment against the company, and McKenzie's outfit was charged $9,200 for their "unreasonable restraint of trade."

In 1843, W. P. May, a Rocky Mountain trader, came down the Yellowstone with his winter catch of furs and proceeded down the Missouri in a boat built for the purpose. He was fired on by some of the Fox, Livingston & Co. desperadoes and his boat and cargo seized.

Fort Clark became headquarters for thieves and other criminals of the Upper Missouri, who committed depredations upon the Sioux, dressed as Arikaras, and upon the latter dressed as Sioux. Nor did they confine their attentions to the Indians entirely, but held up and robbed white trappers and others when opportunity offered. There has been a story current on the frontier since those times that a party of seven miners, proceeding down the river from Montana, were waylaid by Indians—or whites garbed as Indians—and robbed of $30,000 at a point a short distance below Fort Clark, and that the trader at Fort Clark got the gold in the "course of business."

On the way down the river from the Upper Missouri, returning from his investigation in 1855, Alfred Cummings, United States Superintendent of Indian

Affairs, stopped at Fort Clark and lost seven mules, stolen from his outfit during the few hours he was there.

These are only samples of the numerous outrages of that period by whites on the Upper Missouri.

OUTRAGES BY INDIANS

In view of the outrages by whites against each other there is little room to criticize the perpetration of Indian outrages against the whites. Up to 1833 the whites at Fort Union hunted at will throughout that region, but later there was scarcely a boat or mackinaw, passing down the river, that was not fired on by the Indians. They would attack the men at the wood yards and in the hay fields and timber camps. Stock was run off within 200 yards of Fort Union, and the tribes were constantly at war with each other.

THE WILD BONAPARTE OF THE PRAIRIES

Among the Assiniboines was a chief of renown named Tahatka, or Gauche, described by Father De Smet as "a crafty, cruel, deceitful man, a bad Indian in every sense of the word; his life was full of horrors." Gauche led his tribe for forty years, and was one of the parties, as stated, to the McKenzie treaty of peace at Fort Union. He was sometimes called "Neenah-yau-henne," the "man-who-holds-the-knife," with which it was said he could cut a rock in two, owing to the strong "medicine," or supernatural powers, with which he was believed to be endowed. By the whites he was sometimes called the "Wild Bonaparte of the Prairies." He had no difficulty in raising a large band of warriors whenever he elected to go on the war path against other tribes.

It is related that he raised a large party to attack the Blackfeet, on the occasion of their return from one of their annual trips to the fort for the purpose of trade. An examination of their trail revealed to him that they were rich in horses, and well supplied with intoxicating liquor, and he reasoned that the following night would be given over to carousal, so he selected as the psychological moment for attack the hour of stupor, early in the morning after their debauch. His deductions turned out to be correct, and finding them utterly unable to defend themselves he captured 300 horses, killed and scalped a large number of men, women and children, and followed up the victory by the usual celebration.

One member of his party had remained at Fort Union, and the Blackfeet, hearing of his presence at the fort, sent word to him that they were hunting for the Assiniboines for the purpose of making peace with them and invited him to accompany them, but he was reluctant to go. Finally they sent a horse, fully equipped, which was to be his if he would go with them. This his cupidity led him to accept, and in the act of mounting he was riddled with bullets within 200 yards of Fort Union.

BEAR RIB SUFFERS THE PENALTY

As time passed the Indians on the Upper Missouri became more and more troublesome, and more determined to drive the whites from the country, refusing their annuities and regarding as traitors those who accepted presents, lest it might in some manner involve the loss of their homes. United States officers who came to them bearing gifts were no longer looked upon with favor. Bear Rib was prevailed upon to receipt for the goods for his tribe, and October 8, 1862, Governor William Jayne reported his death. The Indian penalty for treason is death. Bear Rib knew this, of course, but his cupidity was stronger than his loyalty to the traditions of his tribe, and he paid the forfeit with his life. Civil government had been inaugurated in Dakota; its settlement under the free homestead law of May 20th of that year having commenced, and the Indian outbreak, fully described in another chapter, was in progress, but preceding that story is much of interest yet to be told.

Dr. Washington Mathews, who served some years as medical officer at Fort Berthold and at Fort Stevenson, wrote, in a personal letter to Dr. Elliott Coues, editor of Charles Larpenteur's Journal, as follows:

"The Hidatsa moved up the Missouri from their old villages on Knife River to the bluffs on which Fort Berthold was afterwards built in 1845. The Mandans followed soon after, and the Arikaras joined them in 1862.

"Soon after the Hidatsa moved up, in 1845, the American Fur Company began, with the assistance of the Indians, to build a stockaded post which they called Fort 'Berthold,' in honor of a certain person of that name (Bartholomew Berthold) of St. Louis. This was built on the extreme southern edge of the bluff, on land which has since been mostly, if not entirely, cut away by the river.

"In 1859, an opposition trading company erected, close to the Indian village (but east of it and farther away from the river than Fort Berthold), some buildings, protected by a stockade and bastions, which they named Fort Atkinson (the second of that name).

"This was the fort at which Boller (author of 'Among the Indians') had his trading post. In 1862 opposition ceased and the American Fur Company obtained possession of Fort Atkinson, which they occupied, transferring to it the name of Fort Berthold. They abandoned the old stockade, which was afterward (December 24, 1862) almost entirely destroyed by a war party of Sioux.

"This was a memorable Christmas eve in the annals of Fort Berthold. The Sioux came very near capturing the post, but the little citizen garrison defended it bravely, and at length the Sioux withdrew. * * * The first (I think) military occupancy of the fort was in 1864, when Gen. Alfred Sully assigned a company of Iowa cavalry to duty there under command of Capt. A. B. Moreland.

"In the spring of 1865 this company was relieved by one of the First United States Volunteer Infantry (ex-Confederate prisoners) under command of Capt. R. R. Dimon. In the same year Captain Dimon's company was relieved by one of the Fourth United States Volunteer Infantry, commanded by Capt. Adams Bassett. In 1862 Fort Berthold received the traders from Fort Clark, leaving that fort in the possession of the Arikaras.

"In the spring of 1866 regular troops came into the country, and a company of the Thirteenth Infantry, commanded by Capt. Nathan Ward Osborn (colonel Fifteenth Infantry, August 5, 1888, now deceased), succeeded the volunteers.

"When the troops first moved in the traders were obliged to move out and built quarters for themselves outside. After the troops were withdrawn the traders returned for a short time and then made way for the Indian agency."

The United States troops were withdrawn from Fort Berthold when the construction of Fort Stevenson was begun in 1867. Fort Stevenson was abandoned in 1883, and the reservation was sold at private sale to a syndicate from Cincinnati represented by Hon. L. C. Black.

CHAPTER XIII

INCLUDING THE SIOUX MASSACRE OF 1862

PRIMEVAL INGRAFTING OF MAN'S INHUMANITY TO MAN — INDIAN WARS — TREATIES OF 1837 AND 1851 — TRADERS AND THEIR ACCOUNTS — THE SIOUX MASSACRE OF 1862—ORIGIN AND EXTENT OF THE TROUBLE—FACTS GLEANED FROM OFFICIAL RECORDS—SCENES AND INCIDENTS RELATED BY TONGUE AND PEN OF PARTICIPANTS IN THE WAR—ATROCITIES OF INDIAN WARFARE—COST TO INDIANS AND SETTLERS.

"And I have seen his brow,
The forehead of my upright one, and just,
Trod by the hoof of battle to the dust.

* * * * * *

Ay, my own boy! thy sire
Is with the sleepers of the valley cast.
And the proud glory of my life hath past,
With his high glance of fire.
Woe! that the linden and the vine should bloom
And a just man be gathered to the tomb!"
—Nathaniel P. Willis, *The Soldier's Widow.*

In 1520, the Spanish carried away large numbers of the inhabitants from the islands of the West Indies and the Carolinas, and sold them for slaves; committing outrages, outranking in studied and fiendish cruelty anything ever charged to American Indians.

De Soto came with bloodhounds to run down, and handcuffs, shackles and chains to bind, American Indians it was his purpose to enslave. It is not too much to say that Christian monarchs encouraged exploration in the search of new worlds, and to exploit and to hold as vassals or slaves the conquered people. From Africa, 40,000,000 people were stolen, kidnapped or purchased from warring tribes, before the slave trade was abolished and the tide of public sentiment turned in humanity's favor.

In the Carolinas, Indians made captive in their raids upon the setlements, or in the punitive expeditions sent against them because of such raids, were enslaved under authority of laws enacted for the protection of the settlements, until the Indian and negro slaves outnumbered the inhabitants and became a menace.

The first outbreak in Virginia and the first encounter in New England were based on the terror and dread of the white men from previous outrages committed in Florida and on the Labrador Coast.

In the Virginia uprising, March 22, 1622, the Indians partook of food in the morning from the tables of colonists whom they intended to slaughter at noon, and in the first surprise 347 colonists were killed, and in the warfare which

LITTLE CROW

Leader of the Indian revolt and war of 1862

followed the eighty plantations in Virginia were reduced to eight, Jamestown and two others escaping through warning given by a Christian Indian, and the 4,000 settlers were reduced to 2,000, while the Indian tribes engaged were nearly destroyed. The colonists were restrained by law from making peace on any terms, and each year sent three expeditions against them to prevent them from planting crops in the spring, or harvesting should any be raised, and to destroy their homes should any be rebuilt. In 1636 a peace was arranged, but not of long duration.

April 18, 1644, Opechancanough, brother and successor of Powhatan, responsible for the massacre of 1622, again attacked the Virginia colonists, killing 300 in a few hours, when, realizing their own helpless condition, they fled. Opechancanough, made captive, was treacherously shot by his guard, whose family had suffered in the uprising, and dying of his wounds the Powhatan confederacy was ended, and now no tongue speaks the dialect of the tribe of Powhatan.

Then came the war of extermination by the Pequots, a powerful tribe of 4,000 warriors in the Connecticut Valley, in 1637, and then the King Philip's War of the Plymouth Colony, inaugurated July 20, 1675, and the Swamp fight of the following autumn, all of which are treated in detail in other parts of this volume. In 1621 the servants of a Dutch director murdered a Raritan warrior on the west shore of the Hudson near Staten Island. August 28, 1641, a nephew of the murdered warrior of the Raritans, to avenge the death of his uncle twenty years before, killed an old man of the Dutch Colony. In January, 1642, steps were taken toward punishing the Raritans for the later murder. The first demand for the offender was refused, the Indians holding that he did no wrong in avenging the death of his uncle, but they finally agreed to the surrender. While these negotiations were pending, a Hackensack Indian was made drunk and was beaten and robbed, and to avenge his wrongs killed two of the Dutch Colony.

The Hackensacks had been attacked by the Mohawks and fled to the Dutch Colony for protection. Pity was shown them and they were supplied with food and finally scattered, some going to the Raritans. Some of the Dutch decided that then was the time to avenge the three murders and other alleged outrages, and attacked them March 1, 1642, under the leadership of an "ex-West India convict," killing eighty men, women and children. Babes were snatched from the care of mothers and thrown into the river, and when the mothers jumped into the stream to rescue them they were prevented from landing.

Eleven petty tribes joined the outraged tribes, followed later by eight other tribes, and a long and disastrous war resulted. The homes of the colonists were burned, their animals slaughtered, the men killed and the women and children made captive; in this displaying a larger degree of humanity than the Dutch aggressors, who had found profit in selling them fire-arms and teaching their use. The attack was made after the tribe had offered to surrender the murderer and pay a suitable indemnity.

In the massacre at Fort William Henry in July, 1757, the English defenders had surrendered after a six days' siege, and were marching out unarmed,—accompanied by refugees returning to the British lines or their homes under the terms of their surrender,—assured of full protection, when about a mile from the fort the Indian allies, promised opportunity for plunder as the price of co-operation, fell upon them and slaughtered several hundred men, women and children before the French were able to restrain them.

The Wyoming massacre, near Wilkesbarre, Pa., occurred July 3, 1778. The attack upon Fort Forty where about 400 old men, women, and children had gathered, mainly for refuge, was made by 400 British and Tories and 700 Indians. About 200 of the defenders were killed,—massacred principally by the Indians under every circumstance usually accompanying Indian warfare. Queen Esther, a half-blood, to avenge the death of her son, tomahawked fourteen wounded. On the 5th the fort surrendered, when the Indians, throwing off all restraint, swept through the Wyoming Valley, burning, torturing and killing. The total number killed is conservatively placed at three hundred.

The Sioux allies in Colonel Leavenworth's expedition against the Arikaras (1823) we have seen made the same demand, and they engaged in the opening attack with great zeal, but when it became apparent that they would not be permitted to destroy and kill a conquered people, "subsequent proceedings interested them no more," and they withdrew completely disgusted with the ways of "civilized warfare."

THE SIOUX MASSACRE OF 1862

The settlement of Dakota was retarded by the Sioux massacre of 1862. While it fell with greatest force on the frontier settlers of Minnesota, it extended to Dakota, thirty-two settlers within the limits of North Dakota having been killed during the uprising, and many others driven away never to return. Fort Abercrombie was besieged and in the campaign which followed several important battles were fought on North Dakota soil. The friendly Wahpetons and Sissetons, many of whom jeopardized their lives to protect the captives taken by the hostiles, camping near them and threatening them with a counter war if harm came to them, were granted reservations in Dakota, and their descendants have become worthy citizens of the state, engaged in various lines of business.

The facts have been gathered for this work from many sources; from the report of Thomas J. Galbraith, then agent of the Sioux; from the story of the escape of the missionaries by Rev. Stephen R. Riggs, thirty-five of his colony having been conducted to safety by friendly Indians; from the Reminiscences of Samuel J. Brown, who with his mother and other members of his family were captives in the hands of the Sioux from the beginning until the close of the uprising; from "Recollections of the Sioux Massacre of 1862," by Oscar Garrett Wall, who was one of the defenders of Fort Ridgeley and a participant in the campaign which followed and in the battles fought on North Dakota soil; from officers and soldiers who participated in the campaign; from citizens who suffered in body, mind and estate, and from an examination of official records.

THE TREATY OF 1837 AT WASHINGTON

Under the treaty of 1837, the Sioux ceded all of their lands east of the Mississippi, and all of their islands in said river, to the United States. They were to receive $300,000 to be invested for their benefit at 5 per cent interest; $110,000 to pay to the relatives and friends of the Sioux having not less than one-fourth blood; $90,000 for the payment of the just debts of the Sioux Indians interested in the lands; an annuity of $10,000 in goods to be distributed among them; and to continue for twenty years; $8,250 annually for twenty years for the purchase of medicines, agricultural implements and stock, and for the support of a physician, farmer and blacksmith; $10,000 for tools, cattle and other useful articles to be purchased as soon as practicable; $5,500 annually for twenty years for provisions, and $6,000 in goods to be delivered to the chiefs and braves signing the treaty upon their return to St. Louis.

Fifteen annual payments had been made under this treaty when the treaty of 1851 was signed.

THE TREATY OF 1851 AT TRAVERSE DES SIOUX

Under the treaty of 1851, the Sioux ceded all lands owned by them in Iowa and Minnesota, for which they were to receive $3,303,000, of which $2,748,000 was to be permanently invested for their benefit, the Government paying thereon 5 per cent interest for a period of fifty years. The interest was to be applied annually, under the direction of the President of the United States, for agricultural improvement and civilization, for educational purposes, for the purchase of goods and provisions, known as their annuities, and for an annuity in money amounting to $71,000.

The appropriation for the fulfillment of the treaty of 1851, covered these several amounts and the sum of $495,000 to enable them to settle their affairs and pay their just debts, and the expense of their removal to other lands, and for their subsistence for one year after reaching their new home. The appropriation also provided for the sixteenth payment under the treaty of 1837.

THE CLAIMS OF THE TRADERS

It was the custom of the traders to make advances to the Indians in the way of arms and ammunition for their hunting expeditions, for blankets and clothing and other necessary articles, to be paid for on their return from the hunt. The Indians had been thus accommodated not only by the licensed traders, but by those trading with them without authority, and there were large sums claimed to be due from the Indians, including balances running back to the treaty of 1837. Some were due from deceased Indians, and other sums from dishonest ones, who had defrauded the traders or attempted to do so. A portion was for supplies furnished them as a tribe, for cattle, etc.

The traders who received the benefits of the Traverse des Sioux treaty were

Bailey & Dousman	$ 15,000
N. W. Kittson	2,850
Gabrielle Renville	621
S. R. Riggs for American Board	800
P. Prescott	1,334
Franklin Steele	3,250
Henry H. Sibley	66,459
Joseph R. Brown	6,564

Joseph Provincelle	10,066
Joseph Renville, Sr., Estate	17,540
J. B. Faribault	22,500
Alexander Faribault	13,500
Joseph Laframbois	11,300
R. Fresnier	2,300
Martin McLeod	19,046
Lewis Roberts	7,490
William Hartshorne	530
Francis Labatte	500
J. H. Lockwood	500
Henry Jackson	350
Hazen Mores	1,000
R. McKenzie	5,500
W. H. Forbes	1,000
Total	$210,000

The aggregate amount of these claims, as originally presented was $431,735.78. The money was paid to Hugh Tyler, as attorney for these parties, for settlement in full, as above.

The claims against the Wa-pa-koo-ta band were as follows:

Alexander Faribault	$ 42,000
Henry H. Sibley	31,500
Duncan Campbell	500
James Wells	1,000
Augustine Root	1,000
Alexis Bailey	9,000
H. L. Dousman	4,000
Philander Prescott	1,000
Total	$90,000

The money was paid for these parties to General H. H. Sibley.

The claims against the Med-a-wa-kan-toan band, as filed under oath with Governor Ramsey, were as follows:

H. H. Sibley	$ 37,722.07
McBoal & Odell	639.93
Alexis Bailey	20,108.00
James Wells	15,000.00
Frs. Labatte	5,000.00
Philander Prescott	1,182.10
Alexis Faribault	9,000.00
J. B. Faribault	13,000.00
Joseph Buisson	2,000.00
Franklin Steele	7,000.00

Henry G. Bailey	483.00
Estate of O. Faribault	2,000.00
Joseph J. Frazer	5,000.00
Augustine Rock	5,000.00
Joseph Renville estate	2,000.00
W. G. & G. W. Ewing	3,750.00
	$128,885.10

These claims were settled in full acquittance for the sum of $70,000, paid Hugh Tyler as attorney for the parties named.

The claims presented by H. H. Sibley were for and on behalf of the American Fur Company. There was also paid to the half blood Indians $65,000.

Congress provided that no portion of the money appropriated should be paid to attorneys, and yet there was paid to Hugh Tyler the sum of $55,250 for "discount and percentage." Ostensibly the payment was made by the half-bloods and traders from the sums awarded them, but there was a feeling among the Indians that this money had been wrongfully taken from them. Tyler came among them as a special agent of the Interior Department, and disbursing agent accompanying the commission which made the treaty, paying the expenses of entertaining the Indians on the occasion, giving him the acquaintance necessary to enable him to make his claim for the share on account of alleged services rendered.

The Indians were not satisfied with the settlements made under this treaty; they could not understand why the tribe should pay individual debts or losses incurred in dealing with deceased or dishonest Indians. They generally denied that the tribe owed anything, and insisted that if there was money due from them they should be permitted to settle their own debts, and that they should be paid the money their due under the treaty. They felt that they had been deprived of their land, and were being defrauded of the money they were to receive for it.

The Indian acknowledgment of full payment for the fulfillment of the treaty, so far as it related to these large sums, was signed by twelve chiefs and head men of the tribe, some of whom the Indians were not satisfied to regard as such, while those who had opposed the settlement of course did not sign. The payment was witnessed by Thomas Foster, John C. Kelton, U. S. A., Charles D. Fillmore and W. H. Forbes. It was made by Governor Alexander Ramsey, of Minnesota, ex-officio Superintendent of Indian Affairs in that territory. The U. S. Senate after full investigation by a committee, appointed under its authority, accepted Governor Ramsey's accounts and authorized their settlement. The evidence on which the Senate acted, may be found in Senate document No. 6, first session 33d Congress, and Senate document No. 131, same session.

THE TREATY PAYMENT FOR 1862

It has been charged that the treaty payment for 1862, which was the immediate cause of the outbreak, had been delayed through the manipulation of dishonest agents in collusion with others; that an attempt had been made to force the Indians to accept currency, then sadly depreciated, and that a delay followed while the currency was being reconverted into gold. But this was not true.

The annual appropriation for 1862 was $150,000. While it should have been available July 1st, it was not made until July 5th, and then a question arose as to whether it should be paid in coin or currency. Upon full examination it was decided by Salmon P. Chase, U. S. Secretary of the Treasury, that it must be paid in coin. It was in the nature of interest on the public debt, and it was the policy of the Government to so pay the interest in order to protect its credit; the life of the nation depended upon it. The soldiers were being paid in a depreciated currency, those who furnished supplies and munitions of war were so paid, but the debt to the Indians it was held must be paid in coin. The requisition of the Indian Office for the money was made July 25th, and in due time the money was sent from the U. S. Mint, and reached Fort Ridgeley on the evening of the outbreak. The amount so sent was $71,000, that being the amount alloted for annuities. There were also annuity goods in the warehouse on the reservation, which it was the intention to distribute at the time of the payment of the money annuities.

UNEASINESS PRECEDING THE OUTBREAK

The Civil War was in its second year. President Lincoln had called for 300,000 more volunteers, and among the settlers on the frontier who had enlisted, were the Renville Rangers from the immediate vicinity of the Indian agencies. The war spirit was at work, animating the red men as well as the whites. It was rumored among the Indians that the negroes had taken Washington and that all of the white men had gone to war, leaving only old men, women and children, and that the Government was using their money for the war, and to take care of the negroes. War was an ever present topic of conversation and troubled them in their dreams. Little Crow stated that whenever he looked to the southward he could see the smoke of battle, and hear the war-whoop of the white soldiers. Nevertheless, the Indians came to receive their annuities in gala attire. They engaged in horse-racing and in other sports, happy as Indians can be when there is no immediate cause of complaint.

By July 1st, the Indians had arrived in large numbers, at the Redwood Agency. They had come from their hunting grounds and from their homes, and were prepared to stay for a few days only. July 2d, a detail of 100 soldiers under the command of Lieut. Timothy J. Sheehan of the Fifth Minnesota Volunteer Infantry, came to guard against possible trouble during the payment. July 14th, there were 779 lodges of Indians, in camp about the agency, suffering from lack of food. July 18th, they reported that their condition was unendurable, and July 21st, the agent arranged to count the Indians preparatory to issuing annuity goods. They were not counted however, until July 26th, and until August 4th, no effort had been made to relieve their necessities. That morning the Indians warned Lieutenant Sheehan that they were coming to make a demonstration; that they were coming armed, but intended no harm. A few moments later several hundred warriors surrounded the camp, yelling like a thousand demons and firing their guns wildly. Though ready for war, they came for food. The warehouse was broken open and the distribution of food commenced, but, with artillery trained on them, the soldiers cleared them from the warehouse. Then the agent consented to act and issued food, but wholly inadequate in quantity..

INDIAN COUNCIL DECIDES FOR WAR

The Indians withdrew in ugly mood and held a council, at which it was decided to commence war at once, but Standing Buffalo, a chief of the Sissetons, and a few others, protested, and it was finally agreed to wait a little while. On the 6th of August, another council convened, and an agreement was reached to return to their homes and hunting grounds and await the call of the agent, who consented to issue the annuity goods then in the warehouse. The issue was commenced that day, and all the Indians having disappeared on the evening of the 7th, the soldiers on August 11th, returned to their station.

But the Indian hearts were bad. As they roamed over the country in small parties, the events of the past few weeks were under almost constant discussion, and the voice of the majority of every party was for war. But the council had decided to wait and they waited. Standing Buffalo had warned the whites of their first decision for war, though to do so endangered his life, and at the same time told his white friends that he had been a member of that council, and was bound by its action, as all were who had participated.

BEGINNING OF THE OUTBREAK

On Sunday August 17, 1862, a band of twenty Indians were hunting near Acton, Meeker County, Minnesota. One of the party robbed a hen's nest of the eggs on which she was sitting. The chief protested and a bitter quarrel ensued, and the chief and four of the party withdrew among accusations of cowardice, and threats that there should be war regardless of the action of the council. Later during the day the party of five heard shooting and feared that the war had commenced and they would be forever disgraced because of their opposition to it. In this frame of mind they called at the home of Robinson Jones, who accused one of them of having borrowed a gun which he had not returned. After leaving the Jones place they went to the home of Howard Baker, near by, and asked for water; Jones following them, accompanied by his wife, and the quarrel was renewed. To Mrs. Baker's inquiry if he had given them liquor, Mr. Jones replied that he had not, that he had "no liquor for such red devils."

The Indians challenged the white men to shoot at the mark. Jones, again using offensive language, said he was not afraid to shoot with them. After the shooting the whites did not load their guns, but the Indians reloaded, and, without warning, fired on the whites, killing Mr. Baker, and a Mr. Webster and Mrs. Jones. Jones, who was wounded, attempted to escape, but was felled by another shot. Mrs. Webster was in a covered wagon and was not molested. Mrs. Baker, with a child, fled to the cellar, and the Indians made no search for her, but they returned to the home of Mr. Jones and killed Clara B. Wilson. They took some horses from another neighbor and hastened to their camp, which was reached late in the evening.

Reporting what they had done, a council was called, and being confident that the whites would demand the surrender of the murderers, immediate war was agreed upon. They hastened to the home of Little Crow, who lived in a brick house built for him by the Government. They filled his house, flocked in his garden and door yard, and with one voice demanded that he lead them. He consented, and without waiting for his breakfast, led the way to the Redwood Agency, which they had decided to attack that morning. Runners were sent to other tribes to warn them that war had commenced and to ask their co-operation. As they proceeded on the way to the Agency, the woods and hills reverberated with their whoops and yells, and as their war cry went echoing down the valley, the warriors were aroused from their slumbers and hastened to join their ranks, which increased rapidly in numbers.

At 7 o'clock Monday morning, August 18th, armed, but scantily clad, they squatted on the steps of the several Agency buildings, and the homes of the employees. At a signal the awful work began, and in a few moments every white person at the Agency was killed, excepting two or three of the wounded who escaped in the confusion. Plunder, rapine, and outrage of every kind were incidents of the massacre. Young warriors who had never shed human blood, found new pleasure in torturing, maltreating and murdering defenseless women and children, and boys spent the forenoon shooting into the bodies of the dead and otherwise mutilating them.

The first report of the trouble having reached Fort Ridgeley at 10 A. M., Capt. John S. Marsh, with forty-six men, hastened to the relief of the Agency, leaving but few effective men at the fort. As they hurried on they passed the smoking ruins of farm houses and the bodies of several murdered settlers.

THE BATTLE AT THE FERRY

At the ferry in front of the Redwood Agency they found the boat ready for them to cross in charge of White Dog, who had been regarded one of the most trusty of the friendly Indians. He urged them to cross and meet the Indians in council, and see if the trouble could not be arranged. The decapitated form of the old ferryman was lying where he fell. The soldiers discovered signs of an ambush and at their first show of uneasiness White Dog gave the signal, and the Indians springing from the tall grass fired, and twenty-six of the soldiers fell at the first volley. The Indians rushed upon the survivors and tried to engage them in a hand to hand conflict, but they gained the timber. In an effort to cross the stream, Captain Marsh was drowned, when the survivors made their way back to Fort Ridgeley. Of the wounded two escaped, after suffering almost incredible hardships. Lying concealed in the high grass, they could hear the pleading and groaning of their wounded comrades, and realize their suffering, and when all was still they knew that death had come to their relief.

AFTER THE REDWOOD AGENCY MASSACRE

The night after the massacre of the defenseless and unsuspecting people at Redwood Agency, and the slaughter of Captain Marsh's men, was spent by the Indians in dancing. There was excitement everywhere. Those eager to tell what they had done, sat impatiently waiting their opportunity to tell their story. Amid the pounding of the tom-tom, the singing of war songs, and occasional whoops and yells,—as a particularly striking tale was related,—the wild flourishing of clubs, knives, and tomahawks, the dance went on. The hideous Cutnose, who was one of the thirty-eight executed at Mankato, boasted of having gone to a white man who was cutting hay, assisted by three men and his wife, and pretending to be very friendly, offered his hand, and as the man reached out to receive it, he stabbed him. They grappled, and the knife, which had remained in the flesh, was crowded farther in, and the man fell dead at his feet. At the conclusion of his recital the tom-tom started up its beating, and the fiend was greeted with whoops and yells for a prolonged period. And so the dance went on, only interrupted by atrocious recitals of this character and worse.

But for the anticipated pleasure of telling such tales, and of hearing the stories of others, the young men would have followed Little Crow's advice and attacked Fort Ridgeley on the first day of the outbreak. The thought that there was more real pleasure in murdering defenseless women and children than in fighting armed men, led them to put off the assault on Fort Ridgeley until after the attack on New Ulm. Besides, on the first day they could reach and murder in their homes the unarmed settlers before they heard of the uprising.

AH-KEE-PAH'S REBUKE

Ah-kee-pah, who refused to join in the dance, was accused of being a coward and taunted with not having "killed one white man, no, not even a babe," and jumping to the heart of the circle of men who were accusing him, and by his earnestness commanding their attention, declared that there was "no bravery in killing helpless men and women and little children, and only cowards would boast of it." He took advantage of the opportunity to tell them what he and his tribe would do to them if they harmed one of his relatives, some of whom were among the captive mixed-bloods.

CONDITIONS AT FORT RIDGELEY

Fort Ridgeley was the only reliance of the settlers. They hurried to it from all directions in the hope of gaining protection. On the evening of August 18th there were congregated there 300 refugees, terror-stricken, crouching, cringing, crying, praying, some nearly crazed. There were less than thirty soldiers to protect them against the many hundred warriors likely to attack the fort at any moment. On the 19th the Indians in large force appeared before the fort, in such close proximity that some could be recognized by the use of a glass, and held a council. It was seen that there was dissension among them, and they retired, deferring attack until the next day. That evening reinforcements arrived. The force defending the fort then consisted of Company B, Fifth Minnesota Regiment Infantry, two officers and fifty-seven men, Company C of the same regiment, one officer and fifty men; the Renville Rangers, one officer and fifty-one men; twenty-five effective men organized from among the refugees, and an ordnance sergeant of the United States Army in command of a detail for the howitzers. There was also Dr. Alfred Muller, the post surgeon, the post sutler, and Justus Ramsey and Cyrus G. Wykoff, who had arrived Monday evening, the 18th, with $71,000 in gold for the purpose of making the Indian payment. Lieutenant Timothy J. Sheehan was in command.

THE ATTACK UPON NEW ULM

On August 19 an attack was made by a large force of Indians on New Ulm, a town of about 1,500 inhabitants, whose defense was conducted by Judge Charles E. Flandrau, in command of about three hundred hurriedly organized volunteers, imperfectly armed. They fell back at the first assault by the Indians, who gained the outskirts of the town, but were repulsed and the buildings in the vicinity burned to prevent the Indians from using them for shelter. But advancing under cover of the smoke, which a shifting wind blew up Main street, they gained the very center of the town, to be again driven out. At night they retired.

After the first day's battle about forty buildings were burned in order to prevent their use by the Indians for shelter; intrenchments were dug, and every possible means used for strengthening the defense against the attack which was renewed the next morning, the Indians withdrawing about noon. The town, however, was abandoned, and the wounded and the women and children were sent to Mankato in a train of one hundred and fifty-three wagons, guarded by citizens and soldiers.

THE ATTACK ON FORT RIDGELEY

The attack on Fort Ridgeley was commenced August 20th at 1 P. M. The Indians charging furiously, whooping and yelling, were met by a deadly fire of shrapnel and musketry at close range which quickly drove them from one of the buildings, of which they had gained possession. The attack continued till night, when they withdrew. During the battle that day the ammunition, which was in an exposed condition, was safely removed to one of the stone barracks, and at night the fort was strengthened by intrenchments. The men were cheered by the results of the first day's battle. There was no fighting the next day, but on the 22nd the attack was renewed, and from every direction the Indians were seen creeping toward the fort, their heads turbaned with grass or wreathed in wild flowers, the better to hide their movements. At a given signal they again made a rush upon the fort, capturing the sutler's store and one of the wooden barracks. One of the buildings was fired by a cannon shot from the fort and the other by the Indians who tried to reach the fort under cover of the smoke. Clouds of arrows, with burning punk attached to the tips, were fired upon the buildings in an effort to burn them, but the heavy rain of the night before prevented that result.

During the progress of the battle the Renville Rangers, several of whom spoke the Sioux language, hearing Little Crow give the order to make a rush and club muskets, shouted back to them, "Come on! We are ready for you." They met the charge with a withering musketry fire, sustained by the artillery loaded with canister, and the Indians were again repulsed. Into a camp sheltering the Indian women and children, ponies and dogs, which had been pitched in a deep ravine some distance from the fort, twenty-four-pound shells were dropped, and bursting, made sad havoc among them.

The din of battle was terrific. There was the rattle of musketry, the roar of cannon, the shriek of shell and the explosion, accompanied by the yells of the charging Indians and the shouts of the officers and men. In the midst of the battle it was found that the ammunition for the muskets was short, and with that exhausted there would be no hope. Powder was obtained by opening the ammunition of the artillery. Iron rods were cut into slugs to take the place of bullets, and the women took up the work of making cartridges. At night the Indians again retired, defeated, but the siege continued five days longer. It was raised on the 27th by the arrival of William R. Marshall and Colonel Samuel McPhail with one hundred and seventy-five mounted citizen soldiers, and the next day General Henry H. Sibley reached Fort Ridgeley with twelve hundred men.

ATTACK UPON FORT ABERCROMBIE

August 19th, Mr. Russell and three employes engaged in building a hotel at Breckenridge, Minn., were killed. Charles Snell, the mail driver, was also killed about the same time. Mrs. Scott who lived at Ottertail crossing, was shot in the breast, and her son killed. She literally crawled sixteen miles on her hands and knees to Breckenridge, which had been abandoned, and took refuge in the saw mill, where she was found and while being conveyed to Fort Abercrombie, Dakota, where the citizens had taken refuge, the team was captured by the Indians and the driver was killed. The settlers, however, recaptured the team and she was sent to the fort without further injury.

Fort Abercrombie, consisting of three buildings, the barracks, officers' quarters, and commissary, was garrisoned by Company D, Fifth Minnesota Regiment Infantry, commanded by Capt. John H. Vander Horck. The settlers were organized by Capt. T. D. Munn, and about seventy teamsters who had taken refuge at the fort were commanded by Captain Smith. The teamsters were en route from St. Paul to Red Lake with annuity goods for the Indians, and barrels of pork, corned beef, sugar and other provisions were used for a barricade. Three hundred head of stock which were corralled near the fort were a constant temptation to the Indians, who set fire to the straw stables. Walter S. Hill, volunteered to go to St. Paul for re-enforcements; escorted by thirty-two men he passed safely through the Indian lines, but on the return of the escort Edward Wright and Mr. Schultz of the party were killed. In a later sortie Mr. Lull met his death.

The attack was made on Fort Abercrombie at 5 A. M. on the 3rd of September. Captain John H. Vander Horck, when visiting the picket line that morning, having been mistaken for an Indian by one of the guards, was painfully wounded. Lieutenant Groetch was therefore in command during the attack, which was carried on with desperation until about noon, when the Indians retired. At the close of this engagement it was found that there were but 350 rounds of ammunition left for the muskets, but there being an abundance of ammunition for the artillery, cartridges were manufactured from that and an ample supply provided for the next attack, which occurred September 6, at daybreak. The fighting was hot and furious, but the Indians were again repulsed with heavy loss. During the two engagements Company D lost five men, one killed and four wounded, and there were several among the citizens and teamsters who met with casualties. The Indians hovered about the fort until September 23d, when the siege was raised by the arrival of re-enforcements.

THE BATTLE OF BIRCH COULEE

August 31st, a burial party was sent from Fort Ridgeley to bury the dead at Redwood Agency and such other bodies as might be found. The condition of the dead, exposed to the summer sun for ten days, was horrible. After burying a large number, they camped at Birch Coulee on the night of September 1st, in an extremely unfavorable position, and were surprised by the Indians at daybreak, September 2d, the battle lasting all day and until late in the evening. The command numbered 150 men, exclusive of seventeen teamsters, commanded by Maj. Joseph R. Brown, whose wife and children were then captives in the hands of the Sioux, who had put a price upon his head. The troops were Company A, Sixth Minnesota, under Capt. Hiram A. Grant, and the Cullen Guards under Capt. Joseph Anderson. There were seventeen wagons parked about the camp, which, with the exception of the one which contained a wounded refugee,—Mrs. Justina Kreiger, who had reached the camp the previous evening,—were turned over for a barricade. Ninety horses connected with the camp were shot within fifteen minutes after the battle commenced, and the wagon in which Mrs. Kreiger lay during the battle, was literally shot to pieces, the box and running gear being splintered into a thousand fragments. Some of the spokes were shot away, the blanket in which she was wrapped contained over two hundred bullet holes, and a dose of medicine she was attempting to take was shot from her lips, and yet she had but five slight wounds. The story of her sufferings, of her family murdered, and of her own wounds, will be found near the close of this chapter.

The camp at the beginning of the attack was completely surrounded by several hundred Indians, whose whooping and yelling while firing at close range with deadly effect, spread consternation in the ranks of the small army of defenders. The war cries of the Indians, the beating of their tom-toms, the groans of the wounded, the neighing and struggling of the wounded horses, the storm of bullets, the smoke of battle, the roar of cannon and the rattle of musketry, and the desperate efforts of the soldiers to throw up entrenchments;—using the one spade and three shovels, all the tools they had in camp, supplemented, however, by swords and bayonets, pocket knives and tin plates,—were memorable incidents of the battle. At the close of the engagement 26 soldiers lay dead, and 45 wounded were suffering in fearful anguish for want of attention, and especially for water, which there had been no means of procuring. The next morning it was found that the ammunition was practically exhausted, and in another hour the whole command would have been killed by bullet, bludgeon or tomahawk, but re-enforcements were approaching and the Indians fled.

FIDELITY OF THE FRIENDLY INDIANS

Notwithstanding the fidelity of the Sissetons and Wahpetons living in the vicinity, the buildings of the Yellow Medicine Agency were burned on the 24th of August. On the evening of August 18th, Chaska, one of the noblest of his race, and another Indian, warned the missionaries, Rev. Stephen R. Riggs and Rev. Thomas Williamson and associates,—who were devoting their lives to the Indians, working for their good, and residing about six miles away,—of their danger, and urged them to flee. Other Indians joined in piloting them to a place of safety for the night, and through their aid and guides, their party numbering thirty-five, reached a point near Fort Ridgeley August 22d, during the progress of the battle at that place. Their trail was discovered, but fortunately was obliterated by the severe rainstorm of the previous night. During the night after the battle, one of the party succeeded in reaching the fort, but was advised that there was little hope for it to hold out against another Indian attack, and that provisions were becoming low, and it was decided that it was better for the missionaries to try to reach the settlements, which they were successful in doing after four days and nights of weary traveling, guided all the way by their faithful Indian friends. The Renville family, honored in North Dakota as well as in Minnesota, were among the helpers of this party to escape.

The family of the Indian agent and others from the Yellow Medicine Agency, sixty-two in all, were guided to a place of safety by Other-Day and other Indian friends, reaching Shakopee August 22d, after intense suffering. Ah-kee-pah literally camped with Little Crow, and in the vicinity of his captives, originally numbering 26, but finally increased to 270, including the family of Maj. J. R. Brown,—threatening him and his hostile band with dire vengeance if injury was done to them. Even Little Crow endangered his life by yielding to the demands of the friendly Indians in behalf of the captives.

THE BATTLE OF WOOD LAKE

September 23d, the last of the series of battles during the uprising, was fought. A large force, consisting of parts of the Third, Sixth and Seventh Minnesota, and the Renville Rangers, supported by artillery, gained a decisive victory over the Indians, resulting in the surrender of two hundred and seventy captives, on September 26th, just forty days from the beginning of the outbreak. Here sixteen Indians were buried from those killed in the battle, but many of the dead and most of the wounded were carried away.

SUDDEN CONVERSION OF HOSTILES

After the battle of Wood Lake the fighting spirit took its departure from the greater portion of the Indians in the hostile camp, and as the soldiers advanced, every man, woman and child old enough to walk, displayed flags of truce. White rags were fastened to the tepee poles, tied to cart and wagon wheels, attached to sticks in all conceivable places, and in the most ludicrous manner. One Indian having thrown a white blanket over his horse, tied a bit of white cloth to its tail, and wrapped an American flag about his body, sat on his war steed, calmly waiting for the troops to pass.

ATROCITIES OF THE SIOUX

The wounded in the hands of the Sioux were tortured by every conceivable device to make death one of prolonged agony. Wives were compelled to witness the torture of their husbands until death ended their suffering, and were then carried away captive. Mothers were compelled to witness the murder of their little ones, and to hear their screams and shrieks under the pains of torture preceding their death. Helpless infants were left to starve by the side of their murdered mothers, or to be consumed in the homes that were burned. Little children wandered for days, terrified and ahungered, before they reached a place of safety, and women, wounded, bleeding, and nearly crazed, wandered for weeks, before they were found and given care.

UNSPEAKABLE OUTRAGES

Neither tongue nor pen can tell of the sufferings of the refugees, nor faithfully report the tales they told, nor picture the terrors encountered by them in their flight for safety. At one point they came upon twenty-seven bodies of settlers, overtaken in their flight and murdered, and mutilated, some put to outrage unspeakable. Two settlers on the way to the Redwood Agency came upon the bodies of a woman and two children. They went to the nearest home and to the home of several neighbors. The result was the same. There were dead bodies at each. At one the father, mother and two children were all murdered. They returned hastily to their own settlement and spreading the alarm the settlers assembled to determine what to do.

Starting for Fort Ridgeley, they were met by a band of marauders, the leader of which was well known to one of the settlers, who had hunted with him, and they were always great friends. The Indian appeared glad to see his friend, greeting him cordially and kissing him, claiming that the murders had been committed by the Chippewas and promising the protection of the Sioux, prevailed upon them to return to their homes. They traveled some distance together, and at noon stopping to feed their cattle and lunch, their Indian escort accepted food from them, and, after lunch, motioned them to go on, but soon followed and robbed them of their valuables. Another party coming up fired upon them, killing all but three of the men of the party at the first volley.

Mrs. Justina Kreiger, the wounded woman mentioned in connection with the battle of Birch Coulee, told her story to the Sioux Commission as follows:

"Mr. Foss, Mr. Gottleib Zable, and my husband were yet alive. The Indians asked the women if they would go along with them, promising to save all that would go, and threatening all that refused, with instant death. Some were willing to go; others refused. I told them that I proposed to die with my husband and children. My husband urged me to go with them, telling me that they would probably kill him and perhaps I could get away in a short time. I still refused, preferring to die with him and the children. One of the women who started off with the Indians turned around, halloed to me to come up with them, and taking a few steps towards me, was shot dead. At the same time two of the men left alive and six of the women, were killed, leaving of all the men only my husband alive. Some of the children were also killed at the last fire. A number of the children yet remained around the wagon; these the savages beat with the butts of their guns until they supposed they were dead. Some, soon after, rose up from the ground, with blood streaming down their faces, when they were again beaten and killed.

"I stood yet in the wagon, refusing to get out and go with the murderers; my own husband, meanwhile, begging me to go, as he saw they were about to kill him. He stood by the wagon, watching an Indian at his right, ready to shoot, while another was quite behind him with a gun aimed at him. I saw them both shoot at the same time. Both shots took effect in the body of my husband, and one of the bullets passed through his body and struck my dress below the knee. My husband fell between the oxen and seemed not quite dead, when a third ball was shot into his head, and another into his shoulder, which probably entered his heart.

"Now I determined to jump out of the wagon and die beside my husband, but as I was standing up to jump, I was shot; seventeen buckshots, as was afterwards ascertained, entering my body. I then fell back into the wagon box. I had eight children in the wagon-bed and one in a shawl. All of these were either my own or else my step-children. What would now become of the children in the wagon I did not know, and what the fate of the baby I could only surmise.

"I was seized by an Indian and very roughly dragged from the wagon, and the wagon was drawn over my body and ankles. I suppose the Indians left me for a time, how long I do not know, as I was for a time quite insensible. When I was shot the sun was still shining, but when I woke up it was dark. My baby, as the children afterwards told me, was, when they found him, lying about five yards from me, crying. One of my step-children, a girl of thirteen years of age, took the baby and ran off. The Indians took two of the children with them. These were the two next to the youngest. One of them, a boy four years old, taken first by the Indians, had got out of the wagon, or in some way made his escape, and came back to the dead body of his father. He took his father by the hand, saying to him, "Papa, papa, don't sleep so long." Two of the Indians came back and one of them, getting off his horse, took the child away. The child was afterward recovered at Camp Release. The other one I never heard of. Two of the boys ran away on the first attack, and reached the woods, some eighty rods distant. One climbed a tree; the youngest, age 7, remaining below. This eldest boy, 8 years of age, witnessed the massacre of all who were killed at this place. He remained in the tree until I was killed,—he supposed. He then came down and told his brother what he had seen and that their mother was dead. While they were crying over the loss of their parents, August Gest, a son of a neighbor, cautioned them to keep still, as the Indians might hear them and come and kill them, too."

Here these children remained in hiding three days, and then spent eight days and nights of terror in reaching the fort. Once when they saw a team with a family coming toward them, and were about to rush to them in joy, a party of Indians concealed from view captured the family and drove off. They could hear the screams of the woman until they disappeared in the distance.

Mrs. Kreiger, recurring to the scene of the massacre of their party, said:

"My step-daughter, aged 13, as soon as the Indians had left the field, started off for the woods. In passing where I lay, supposing me dead, and finding the baby near, crying, she hastily took it up, and brought it off the field of death in her arms. The other girl, my own child, six years old, arose out of the grass and two of the other children that had been beaten over the head and left for dead, now recovered, and went off towards the woods and soon rejoined each other there. I was still lying on the field.

"The three other children returned to the place of the massacre, leaving the boy in charge of the 6-year-old girl. As they came to the field they found seven children and one woman evincing some signs of life. * * * All these were covered with blood, and had been beaten with the butts of the guns and hacked by the tomahawks, excepting a girl whose head had been severed by a gunshot. The woman was Anna Zable. She had received two wounds,—a cut in the shoulder and a stab in the side. They were all taken to the house of my husband by these three girls. They remained in the house all night doing all they could for each other. This was a terrible place, as hospital for invalid children, with no one older than thirteen years of age to give directions for the dressing of the wounds, nursing of the infant children, and giving food to the hungry, in a house that had already been plundered of everything of value."

Early next morning Mrs. Zable and the children who had rescued the wounded children, went to the scene of the massacre to look after Mrs. Kreiger who was supposed to have been killed, but being frightened, they hid in the grass, and while there the Indians drove up with the ox team belonging to their party and stripped the clothing from the dead. They plundered other houses, and fired the building in which the wounded children had been placed, and all of the seven little ones were burned. Mrs. Zable and the five children lingered in the vicinity three days, and then spent eleven days and nights before reaching Fort Ridgeley. When the party went back to the scene of the massacre, they left the baby asleep in a house, but they could not return to it and never afterwards heard of it. The 6-year-old child fell exhausted on the way, but the children cared for it, until it gained strength, a little nourishment having been obtained from a melon rind found in the road. When they came in sight of Fort Ridgeley, Mrs. Zable, crazed with grief and wounds, and exhausted by exposure and want, insisted that the fort was a camp of Indians and fled as a party advanced to their rescue.

Mrs. Kreiger lay where she fell August 18th, until the next night about midnight. At this time two Indians approached to ascertain if life was extinct. "The next moment a sharp pointed knife was felt at my throat," said Mrs. Kreiger, passing downward, cutting not only the clothing entirely from my body, but actually penetrating the flesh." She saw one of these inhuman wretches seize Wilhelmina Kitzman, who was her niece, and the child cut and mangled, was thrown on the ground to die. The other child of Paul Kitzman was taken along with the Indians, crying most piteously.

After this experience Mrs. Kreiger again became unconscious, but when she revived she found her own clothing, which the Indians had thrown away, and covering herself as best she could, made her way to Fort Ridgeley, wandering about, hiding in the grass and the timber until September 1st, when she was rescued by the soldiers, and next day lay in the only wagon that was not turned bottom upwards for defense at the Battle of Birch Coulee, as related in that connection.

The number of citizens killed during the outbreak was 644, 32 of whom were in Dakota. The number of soldiers killed at the several battles was 93, making a total loss of life of 737. To this list of casualties must be added the many wounded. Two hundred and seventy captives were surrendered.

THE COST OF THE OUTBREAK TO THE INDIANS

The property of the two Indian agencies belonged to the Indians and was paid for out of their appropriation. The crops growing on the agency farms were for their support, and whatever injury came to these was an injury to them. All of the dwellings (excepting two Indian homes), stores, mills, shops, and other buildings, with their contents, and the tools, implements and utensils upon the Yellow Medicine Agency were destroyed or rendered useless. The value was $425,000.

At the lower or Redwood Agency, the stores, warehouses, shops and dwellings of the employes, with their contents, were destroyed, together with eight houses belonging to the Indians and occupied by them, and a new stone warehouse nearing completion. The value was $375,000. Adding to this the destruction of fences, loss of crops, and of lumber and supplies, the loss to the Indians on the reservation alone was not less than $1,000,000.

The fund of $2,748,000 on which the Government had agreed to pay them five per cent per annum, was forfeited, and they lost the interest thereon from that time forward. The treaty of 1851 was abrogated by the act of February 16, 1863 (vol. 12, Federal Statutes at Large, p. 652). They had received under the treaty $2,459,350, less the sum paid for depredations. They also lost $300,000 deposited to their credit under the treaty of 1837.

Four hundred and twenty-five Indians were tried by a military commission on the charge of murderous participation in the massacre. Three hundred and twenty-one were convicted and 303 were sentenced to death. President Lincoln commuted the sentence of all but thirty-nine. Thirty-eight of these were hanged at Mankato, Minnesota, December 26, 1862. One was pardoned by the President. Two were later hanged at Fort Snelling, and still another at Mankato. Among those hanged was a negro half-blood. Two others convicted were released after three years' imprisonment.

Little Crow was killed July 3, 1863, by Chauncey Lampson, near Hutchinson, Minnesota. It must be said to the credit of Little Crow that it was through his efforts that the captives in his camp escaped massacre. He saved them, even at times when his own life was threatened on that account, but it was because he feared the vengeance of the Sissetons and Wahpetons who were persistently demanding their release, or at least that no harm should come to them.

THE COST TO THE SETTLERS

The loss of property and crops destroyed belonging to the settlers was even greater.

The $71,000 in gold, which arrived at Fort Ridgeley on the day the outbreak commenced, was paid under act of Congress to the settlers as part payment for Indian depredations. The amount so paid included, also, other items appropriated for their benefit amounting in the aggregate to $204,883.90.

The burning of Sioux Falls, the death of Joseph W. Amidon and Edward B. Lamoure, an elder brother of Hon. Judson Lamoure, of Pembina, in the attack on Sioux Falls are mentioned in another chapter. The garrison at Fort Randall, the activity of the settlers and the "preparedness" shown at Yankton, where the settlers in that section of Dakota assembled for defense, doubtless prevented an outbreak among the Yanktons inhabiting that region.

These are only striking incidents of Indian warfare, followed by a long list of bloody affairs, in which the Indians gained nothing. Other incidents have been mentioned in other chapters. The story of the massacre at Fort Phil Kearney and the Custer massacre will be told in subsequent chapters. Today the whole world realizes what War is. Now (October, 1916) 14,000,000 soldiers of Christian nations are at war. The "beasts" come out of the land, and from under the sea—and from the air—all engaged in the destruction of human beings, sparing not innocent children, weak women, decrepit old men, or the sick and wounded in hospitals. And for what? Anarchists, in their warfare on all forms of government, killed a son of royalty, and the war of August, 1914, began, coming like a storm from a clear sky, sweeping over and involving nations in no way responsible for its beginning, and making the hymn of H. W. Baker—No. 199 of the Episcopal Prayer Book—appropriate for every opening day:

"O God of love, O King of Peace!
Make wars throughout the world to cease,
The wrath of sinful man restrain,
Give peace, O God! give peace again."

CHAPTER XIV

IN THE SIOUX COUNTRY

BEGINNING OF CIVILIZATION IN THE LAND OF THE DAKOTAS—THE OLD HAND-PRESS—THE FIRST DAKOTA NEWSPAPER—THE FIRST PERMANENT NEWSPAPER—THE TREATY OF 1851—THE MASSACRE OF LIEUTENANT GRATTAN AND HIS MEN—THE VERMILION SETTLEMENT—HARNEY'S PUNITIVE EXPEDITION—FORT PIERRE AS A MILITARY POST—THE BATTLE OF BLUE WATER OR ASH HOLLOW—FIRST ORGANIZED SETTLEMENT IN SOUTH DAKOTA—FOUNDING OF SIOUX FALLS—DAKOTA CHRISTENED—BIG SIOUX COUNTY ORGANIZED—TOWNSITES ON THE SIOUX—THE TREATY OF 1858—CAPT. JOHN B. S. TODD—FORTS RANDALL AND ABERCROMBIE ESTABLISHED—THE BON HOMME SETTLEMENT—THE FIRST SCHOOLHOUSE—ELK POINT—CHARLES MIX COUNTY—THE PONCA AGENCY—DAKOTA TERRITORY PROCLAIMED—CHARLES F. PICOTTE—FIRST DAKOTA POSTOFFICES.

> At the doorway of his wigwam
> Sat the ancient arrow-maker,
> In the land of the Dakotas,
> Making arrowheads of jasper,
> Arrowheads of chalcedony,
> At his side, in her beauty,
> Sat the lovely Minnehaha,
> Sat his daughter, Laughing Water.
>
> —*Henry W. Longfellow.*

IN THE LAND OF THE DAKOTAS

Beginning with the treaties of 1825 by the Indians on the upper Missouri River and the establishment of the organized fur trade on that stream and its tributaries, events rapidly followed, tending to confirm the Indian fears that their hunting grounds would soon be taken from them, and to stir them to fierce resistance. The Dakotas were contemplating encroachments on their weaker western neighbors, when they beheld a wave of white settlement coming from the West as well as from the South and East, crowding toward the very heart of the Sioux country.

In 1832 Fort Pierre had become the head of the fur trade on the upper Missouri, and steamboats had begun making regular trips to that point and beyond.

In 1838 Jean Nicholas Nicollet, assisted by Second Lieut. John Charles Fremont of the United States Topographical Engineers, appointed for that purpose by President Martin Van Buren, came to Fort Pierre on the steamer

Antelope for exploration. Leaving the Missouri River at the mouth of the James, or Dakota River, they extended their explorations to the Devils Lake region, returning East via St. Paul.

It was while in Washington preparing his report that Lieutenant Fremont made the acquaintance of his future wife, Jessie Benton, daughter of Senator Thomas H. Benton of Missouri, which ripened into affection and resulted in an elopement, and an assignment of Fremont for exploration in Iowa, followed by pathfinding in the Rocky Mountains in 1842-44. Fremont came to be known as the Great Pathfinder, and, in 1856, was the first republican candidate for President of the United States, and later a distinguished major general in the Civil war. It will be noticed that the foundation of his fame and that of his love for the beautiful daughter of Senator Benton were laid in the land of the Dakotas—the land of the arrow-maker's daughter, Minnehaha.

Overland immigration to Oregon commenced in 1841. In 1847 Utah was occupied by the Mormons, and for the protection of immigrants and others passing over the country, and of the frontier settlements, military posts, as they had been projected, were established, followed by the creation of new territories and the admission of new states. In February, 1848, gold was discovered in a mill-race at Coloma, Cal., by James W. Marshall, a native of New Jersey, who had just finished building a sawmill, by Indian labor, for Col. John A. Sutter, a Swiss, who resided at a fort near Sacramento. The gold was in the form of a long, irregular pumpkin seed and was tested at Monterey. The first few months Marshall employed about one hundred Indians from Monterey to wash out gold at Webber Creek, six miles from Coloma. There were then only three white men in that region, but the discovery of gold turned the tide of immigration in that direction.

Fort Kearney was built in 1848, and the trading post on the north fork of the Platte known as Fort Kearney was purchased in 1849 and converted into a military post, bearing the name of Fort Laramie.

THE OLD HAND-PRESS

As early as 1843 a printing outfit was brought to Lancaster, Grant County, Wis., for the first weekly paper of that lead-mining region. It was subsequently owned by James M. Goodhue, a talented and progressive editor, who, being ambitious for a larger field, closed his office and removed to St. Paul in the autumn of 1848. On the same steamer with him was a young man from the same village, named John B. Callis, who helped Goodhue unload his freight upon the river bank at the Village of St. Paul.

Fifty-eight years later, September 6, 1906, Gen. John B. Callis, the noted colonel of the Seventh Wisconsin Infantry of the Iron Brigade, rested on his crutches in the splendid office of the St. Paul Pioneer-Press during the Grand Army encampment for that year, and narrated to reporters how he had brought the first font of type and the first press into the town, with "Jim" Goodhue, famous in its development.

It is not well known how many poor pioneer printers of the Northwest had inherited that little machine, to print "final proof" sheets in far-away frontier townsites. It met its fate at Sioux Falls and was buried and forgotten among the scrap-iron. Later still it became known to Senator Richard F. Pettigrew that at the back door of a humble house of his home city was the platen of the much-traveled old press, serving in the useful capacity of a door-step. The senator bought it and gave it an honorable place among historic relics of the Northwest territories in the State Historical Society.

THE FIRST DAKOTA PRINTING PRESS

The first printing press in Dakota was purchased at Cincinnati, Ohio, in 1848, and was the gift of Oberlin College students to Rev. Alonzo Barnard, a Presbyterian missionary, about to be stationed at St. Joseph, now Walhalla, N. D. It was brought up the Mississippi in the summer of 1849, from Cass Lake in canoes down the Red Lake and Red River to Pembina, and from there transferred to St. Joseph, in a Red River cart, and thence to Fort Garry, now Winnipeg, where it was used by Dr. Schultz in printing the Northwester, the first newspaper published on the Red River.

THE FIRST DAKOTA NEWSPAPER

July 2, 1859, Samuel J. Albright established the Dakota Democrat at Sioux Falls City, the first newspaper published within the limits of Dakota Territory. Mr. Albright had been connected with the Free Press at St. Paul. At the date of the issue of the Sioux Falls Democrat there were less than two score of people at Sioux Falls City. The publication was suspended in March, 1860, during the absence of Mr. Albright, until December, 1860, when it was revived as the Western Independent, and was published occasionally thereafter until March, 1861, by J. W. Stewart. According to the record given above, Mr. Albright's was not the first printing press in Dakota. The Dakota Republican, the first permanent newspaper in Dakota, was established by J. Elwood Clark and James Bedell September 6, 1861.

THE TREATY OF 1851

Minnesota Territory was organized in 1849. The plains west of the Missouri River were occupied by Indian Tribes claiming them under undefined hereditary rights, or by the power of might. The Laramie treaty of 1851 defined the boundaries of their several claims. The Mendota treaties of 1851 ceded Indian lands lying on and extending to the western boundary of Minnesota Territory. These treaties were made without the consent of the masses of the tribes and were not accepted by them. There were bad hearts and hot blood among the Indians.

Fort Riley in Kansas and Fort Ridgeley in Minnesota, the main reliance of the settlers of Dakota in 1862, as related in Chapter XIII, were built in 1852.

THE MASSACRE OF LIEUTENANT GRATTAN AND HIS MEN

In June, 1853, two young Indians fired their guns into the air, in the vicinity of a frontier military post, contrary to military regulations, lest alarm be created among passing immigrants or others having a right to be in the Indian country limit. Henry B. Flemming, then stationed at Fort Laramie, was sent to the Indian village with a detail of soldiers and demanded the surrender of the two young men. The Indians failing to comply with his demand, he ordered his men to fire on the Indians, killing three and wounding several others, and seized two young braves whom he carried away for punishment. Indian depredations followed as a natural result.

August 19, 1854 Lieutenant John L. Grattan of the Sixth United States Infantry, who was placed in command of a detail of seventeen men, which he had increased by unauthorized volunteers to thirty-one, went to the Indian village of Singing Bear, and demanded the surrender of the Indians who had committed this alleged depredation. There were upwards of a thousand Indians in the camp awaiting the payment of their annuities and preparing for their autumn hunt. Singing Bear, who was friendly to the whites, asked for time, which was denied, and Lieutenant Grattan ordered his men to fire. Singing Bear fell mortally wounded, and though he pleaded with his men not to retaliate, in less than five minutes Lieutenant Grattan and his thirty-one men lay dead, sacrificed to the fury of the Indians led by Little Thunder, father of Spotted Tail, who succeeded Singing Bear in command of the camp. Their vengeance fell like a bolt from heaven—not a man from the command of the indiscreet young officer escaped.

The Indians then formed into small bands, and many immigrants and others suffered the loss of life or property as the result of Lieutenant Grattan's rash act.

THE VERMILION SETTLEMENT

Nebraska Territory was organized in 1854. At Vermilion, S. D., on the border of Nebraska, Robert Dickson, and subsequently the American Fur Company, established trading posts, as related in Chapter XI, and Capt. Henry Vanderburg of the Leavenworth Punitive Expedition of 1823, settled there in 1855. Alexander C. Young, who came to Fort Pierre in 1834, retired from the fur trade and settled on a ranch near Vermilion at the same time, and Henry Kennerly in 1859. In this year a Norwegian colony located here, among them Ole Olson, Henry Severson and Syvert H. Myron, and James McHenry erected a store building, the first permanent improvement in the village. George Brown, Parker N. Brown, Marcellus Lathrop, Miner Robinson, Ole Bottolfson and about a dozen other settlers came that year. Mrs. Lathrop and Mrs. George Brown were the first white women to settle in Clay County. Hon. Andrew J. Harlan and a number of others came in 1861.

Notable events in the history of the territory were the first wedding ceremony, which took place at Vermilion in 1860, when Jacob Deuel—for whom Deuel County, South Dakota, was named—and Miss Robinson were married; the first Methodist service, 1860, conducted by the Rev. S. F. Ingham, who reached that village October 13, 1860; the Presbyterian Church, built in 1861, claimed to have been the first church edifice erected in South Dakota, known as Father Martin's Church, Rev. Charles D. Martin, pastor, where was held the first religious meeting and where was installed the first church bell aside from the one by Father Belcourt at St. Joseph; the first term of court in Dakota, Judge Lorenzo P. Williston presiding, convened at Vermilion the first Monday in August, 1861.

HARNEY'S EXPEDITION

Growing out of the Grattan massacre, the Harney expedition was authorized March 23, 1855, and sent to punish the Indians. Four companies of the Second United States Infantry, then stationed at Carlisle Barracks, Pennsylvania, and two stationed at Fort Riley, Kan., were ordered to proceed to Fort Pierre and establish a military post at that point. The expedition was to consist of about a thousand officers and men, some being then stationed at Forts Laramie and Kearney, Neb., and others to be assembled at points designated.

For the transportation of troops, equipment and supplies the Government purchased the steamers "William Baird" and "Grey Cloud" and chartered others. Supply depots were established at Forts Laramie, Kearney and Pierre.

FORT PIERRE AS A MILITARY POST

The purchase and occupation of Fort Pierre as a military post in 1855 was really the beginning of the occupation of the Dakotas for other than trading purposes, excepting an occasional settler identified with the Indians in some manner.

For the supply depot at Fort Pierre, Quartermaster General Thomas S. Jessup negotiated for the purchase of the trading post at that point, through Honore Picotte, representing Pierre Choteau, Jr., & Company, on behalf of the American Fur Company, the delivery being made by Maj. Charles E. Galpin on behalf of said company. The purchase price was $45,000. The contract called for delivery June 1, 1855, and with such delivery Fort Pierre ceased to be a trading post and became a military establishment.

The buildings at Fort Pierre numbered twenty, within a stockade inclosing about two acres. They included a store building, a 100 by 24-foot warehouse, quarters for the employes, sawmill, shops for the blacksmith, carpenter and saddler, stables and powder-house, the latter of concrete and the others of logs.

July 7, 1855, the Arabia arrived with Company G, Second United States Infantry, numbering 100 officers and men. The Grey Cloud followed with Company A, eighty-two men, and the William Baird with Company I, fifty-four men, under command of Capt. Henry W. Wessels. Maj. R. Montgomery, the regimental commander, and the first commander of the post, arrived the next week with Paymaster Maj. Augustus W. Gaines, Capt. Parmea T. Turnley, Assistant Quartermaster Capt. Marcus D. Simpson, Assistant Commissary of Subsistence Capt. Thomas C. Madison, assistant surgeon, and Lieutenant Gouverneur K. Warren of the Topographical Engineers. August 2d, Capt. Nathaniel Lyon arrived on the Clara with thirty-seven men of Company C and thirty-five of Company B. Capt. William M. Gardner arrived on the Genoa August 19th with eighty-two officers and men. Captain Lyon, six years later a distinguished brigadier-general in the Civil war, was killed at Wilson Creek August 10, 1861, and Lieutenant Warren became a major general of distinction in the same war.

Captains Charles S. Lovell and Alfred Sully, with Companies A and F, marched overland from Fort Ridgeley, Minn. Captain Sully, in 1861, was colonel of the First Minnesota, and afterwards brigadier general in command of the Sully expedition of 1863-64, which fought several battles on Dakota soil. Fort Sully was named for him.

THE BATTLE OF BLUE WATER OR ASH HOLLOW

Being ready for the campaign, the expedition marched into the Sioux country. September 3, 1855, Little Thunder, an unusually stalwart and intelligent Indian, and his band, were at the mouth of a broad canyon on the north fork of the Platte River, engaged in their annual autumn hunt—preparing their winter supply of food. Their women and children were with them; grazing for their horses was good, and there was plenty of fuel for the care of the meat; buffalo, deer and elk were abundant. It was an ideal hunting ground, and it was evident they feared no attack and anticipated none. But Brig.-Gen. William S. Harney, according to the purpose for which he was sent into that country, attacked them with Companies E and K, Second Dragoons; G, Fourth Artillery; A, E, H, I and K, Sixth Infantry and E, Tenth Infantry, without warning. Harney's loss was five. The Indian loss was eighty-six killed and seventy wounded, among them many women and children. But this was the only battle of the campaign. The Indians sued for peace and a treaty of peace followed.

AFTER THE BATTLE

General Harney's command returned to the several supply points, and General Harney to the work of establishing a permanent military post on the Missouri River.

Fort Pierre was not a suitable place in his opinion, owing to lack of timber and meadow for a permanent military post. Lieutenant Warren surveyed 270 square miles on the proposed military reservation, finding but 10,000 acres of meadow and timber land. Accordingly another point was selected and the force at Fort Pierre was distributed in the main to other points for the winter.

Captains Lovell and Sully with their companies remained at Fort Pierre. Captain Wessels established a winter camp five miles above Fort Pierre, on the east side of the river. Captain Gardner, Camp Miller, eighteen miles above on the east side; Captain Cady, Camp Bacon, ten miles above Fort Pierre; Captain Howe, Camp Canfield, between the White and Niobrara rivers.

Fort Lookout, opposite Chamberlain, had become an important trading post, and was ambitious to become the permanent military post. The headquarters was at this point under Capt. Nathaniel Lyon.

After the battle with Harney's command Spotted Tail and two young braves from his father's camp came to the fort, in full regalia, and offered their lives to save their tribe from further punishment.

Fort Pierre was abandoned in May, 1857, as a military post, though its occupation was continued by Captains Sully and Lovell until 1858, when they returned overland to Fort Ridgeley. Captains Albemarle Cady and Marshall S. Howe were among the officers of that period at Fort Pierre.

After the sale of Fort Pierre for a military post, a trading post was established four miles above Fort Pierre by Joseph La Frambois, known as Fort La Frambois. It was here that the Indian chief Bear Rib, as narrated in Chapter XII, was murdered May 27, 1862, by men of his tribe, for receiving annuities intended for Indians who had refused to receive them, fearing that it involved the sale of their land, which many of the Indians were determined not to permit.

FIRST ORGANIZED SETTLEMENT IN SOUTH DAKOTA

That portion of South Dakota east of the Big Sioux, ceded by the Mendota treaty of 1851, left in unorganized territory by the admission of Minnesota in May, 1858, was organized by the last Territorial Legislature of Minnesota as Big Sioux and Midway counties, Sioux Falls being the county seat of the former and Medary of the latter. Flandrau, or Flandreau, as it came to be officially known, was the county seat of Rock County, also created by the Minnesota Legislature.

William Wallace Kingsbury, the last territorial delegate in Congress from the Territory of Minnesota, continued to draw his pay as a delegate from Minnesota until the end of his term, March 3, 1859, and to be entitled to a seat in Congress as such. He resided at Endion, Minn. He came from Towanda, Pa., and died at Tarpon, Fla., April 17, 1892.

FOUNDING OF SIOUX FALLS

In Jean N. Nicollet's report of his explorations, published under the title of "Nicollet's Travels in the Northwest in 1839," he gave a graphic description of Sioux Falls which attracted the attention to that region of Dr. J. M. Staples of Dubuque, Iowa, who organized a company consisting of himself, Mayor Hetherington of that city, Dennis Mahoney (afterwards editor of the Dubuque Herald), Austin Adams, George P. Waldron, William Tripp, Wilmot W. Brookings and Dr. J. L. Philips known as the Western Townsite Company of Dubuque, Iowa.

In October, 1856, Ezra Millard, then of Sioux City, Iowa, later of Omaha, Neb., and David M. Mills, representing this company, went to Sioux Falls for the purpose of locating a townsite at that point, but their first sight of the falls was interrupted by a party of Sioux Indians, who angrily turned them away and ordered them to stay not beyond the rising of the morning sun. The Indians appeared to be in possession and in earnest, and so they went; but Mr. Mills returned a few weeks later, built a house, staked a claim, and held his ground until the next spring, when he was joined by Jesse T. Jarrett, Barclay Jarrett, John McClellan, James Farrell and Halvor Olsen. Jesse Jarrett was in charge of the party and located for the Western Townsite Company 320 acres, described as the NW ¼ Sec. 9 and NE ¼ Sec. 16, T. 101, N., R. 40 W., 5th P.M., naming their location Sioux Falls.

In June, 1857, the Dakota Land Company was organized at St. Paul for the purpose of colonizing that portion of the lands ceded in 1851 at Mendota, not included in the pending bill for the admission of Minnesota, which would be left as unorganized territory if the bill passed.

Judge Charles E. Flandrau of St. Paul, Jefferson P. Kidder, Alpheus G. Fuller, Joseph E. Gay, Samuel J. Albright, Baron Freidenreich, James M. Allen, Franklin J. Dewitt, Byron M. Smith, Colonel William H. Noble and others were associated in this enterprise. Colonel Noble had laid out and worked a road across the unsurveyed country. The purpose of the company was to acquire desirable lands for settlement and townsite purposes and to lay the foundation for a new territory.

The following members of the company, or its employes, left St. Paul early in June, 1857, going by steamboat on the Minnesota River to the most available point, and thence overland to the Big Sioux, viz.: Franklin J. Dewitt, Alpheus G. Fuller, Samuel A. Medary, Jr., J. K. Brown, Col. William H. Noble, B. F. Brown, James L. Fiske, Artemas Gale, James M. Allen, William Settley, Byron M. Smith, A. J. Kilgore and Arnold Merrill. On leaving the Minnesota River they divided into three parties.

Alpheus G. Fuller, Byron M. Smith, Col. William H. Noble, Artemas Gale, James M. Allen, A. J. Kilgore and James L. Fiske reached Sioux Falls about June 20th and found the Dubuque party mentioned above had preceded them. They were warmly welcomed, however.

DAKOTA CHRISTENED

The St. Paul party organized, located 320 acres by land scrip, voted that the new territory they came to found should be called Dakota, and that Sioux Falls City should be its capital.

The party headed by Dewitt located at Flandrau, in the unorganized county of Rock, and the one headed by Medary located at Medary in Midway County. Sioux Falls was to be the initial point for their operations.

The Sioux Falls contingent left James McBride and James L. Fiske to represent them, and the Dubuque party Jesse Jarrett, Barclay Jarrett, John McClellan, James Farwell and Halvor Olsen in charge of their interests.

In July, 1857, the Indians became very threatening and some of the party left on that account.

August 23, 1857, Jesse T. Jarrett, John McClellan, Dr. J. L. Phillips, Wilmot W. Brookings, David M. Mills, A. J. Kilgore, S. B. Atwood, Smith Kinsey, James Callahan and Mr. Godfrey returned, armed and provisioned to hold the ground selected. They brought a saw mill and other equipment. Mr. Brookings was appointed superintendent. Later James M. Allen, William Little, James W. Evans, James L. Fiske and James McBride arrived and erected several buildings, including a store and three dwelling-houses.

That fall James M. Allen, William Little, James W. Evans, James L. Fiske, James McBride, James McCall and C. Merrill of the St. Paul colony arrived.

In 1858 John Goodwin and wife, Charles S. White and daughter Ella, and Amos Duley and wife came. The latter later returned to Lake Shetek, Minn., where Mr. Duley was killed, and his wife and daughter made captive in the Sioux uprising of 1862. They were ransomed by Maj. Charles E. Galpin, acting for Dakota settlers. William Stevens, Samuel Masters, Henry Masters, J. B. Greenway, George P. Waldron and Margaret Callahan, who later wedded J. B. Barnes, Joseph B. Amidon and family, John Lawrence, Berne C. Fowler, J. B. Barnes, John Rouse, James W. Lynch, Jefferson P. Kidder, Samuel F. Brown and N. F. Brown were settlers that year, and Alpheus G. Fuller returned from Washington, having been unsuccessful in securing recognition by Congress as a delegate for the proposed new territory, to which position he had been appointed by the county commissioners of Big Sioux County.

The Minnesota Legislature had created the counties of Pembina, Rock, Big Sioux and Midway, and when admitted as a State, portions of Pembina and Rock, and all of the Big Sioux and Midway were left in unorganized territory.

BIG SIOUX COUNTY ORGANIZED

This county was organized by Governor Alexander Ramsey of Minnesota, by the appointment of William Little, James McBride and A. L. Kilgore county commissioners, James M. Allen register of deeds, James W. Evans sheriff, James L. Fiske judge of probate, Wilmot W. Brookings district attorney, Dr. J. L. Phillips and James McCall justices of the peace. The Dakota Legislature of 1862 changed the name of the county to Minnehaha, and confirmed the acts of the officers after the admission of Minnesota.

TOWNSITES ON THE SIOUX

Townsites were also located by the Dakota Land Company at Flandrau, Rock County (now Flandrau, Moody County), at Medary, Midway County, fifteen miles north of Flandrau on the Big Sioux, where the Government trail crossed that stream; at Renshaw, twenty miles north of Medary, and at Eminja, in Vermilion County, and Commerce City at the great bend of the Big Sioux, half way between Sioux Falls and the Missouri River.

There were about a dozen settlers at Medary, but in 1858 they were driven out by the Indians. Flandrau was also abandoned, and an attempt was made to drive out the settlers at Sioux Falls, which did not succeed until the uprising of the Indians in 1862, when Joseph B. Amidon and his son William were killed by the Indians and Sioux Falls became depopulated for nearly six years. After the settlers left, the Indians burned the village. Wilmot W. Brookings, George P. Waldron and family, Berne C. Fowler and wife, James W. Evans, Barclay Jarrett, Charles S. White and family, William Stevens, Mrs. Amidon and family and John McClellan went to Yankton; Amos Shaw went to Vermilion; Dr. J. L. Phillips and Henry Masters and wife returned to Dubuque, Iowa. There was another person there named Foster, who was with the Yankton party, which was aided by Lieut. James A. Bacon of Company A, Dakota Cavalry, to make good their escape. This company, consisting of forty-one men, was encamped at Sioux Falls when the Indians attacked.

THE TREATY OF 1858

April 19, 1858, a treaty was negotiated at Washington by Charles E. Mix, commissioner on behalf of the United States, and sixteen Yankton Sioux chiefs—three of them represented by Charles F. Picotte, their agent—ceding the lands to the United States in Southeastern Dakota described as follows:

Beginning at the mouth of the Tehan-kas-an-data, or Calumet or Big Sioux River; thence up the Missouri River to the mouth of Pa-hoh-wa-kan or East Medicine Knoll River; thence up said river to its head; thence in a direction to the head of the main fork of the Won-dusk-kah-for or Snake River; thence down said river to its junction with the Tehan-san-gan or Jacques or James River; thence in a direct line to the northern point of Lake Kampeska; thence along the northern shore of said lake and its outlet to the junction of said outlet with the said Big Sioux River; thence down the Big Sioux River to its junction with the Missouri River.

This cession included all islands in the Missouri River from Sioux City to near Fort Pierre.

CAPT. JOHN B. S. TODD

Capt. John B. S. Todd, a cousin of Mrs. Mary Todd Lincoln, wife of Abraham Lincoln, was on duty at Fort Pierre as captain of Company A, Sixth United States Infantry, resigning September 16, 1856, to become sutler (military post trader) at Fort Randall, and to become a member of the firm of Frost, Todd & Co., who had trading posts at Sioux City, Elk Point and midway between Elk Point and Vermilion; one at the latter place, one on the James River and one at Yankton.

It was the active influence of this company that brought about the treaty of 1858, one of the firm being in Washington while the negotiations were pending and while the treaty was before the Senate, by which it was ratified March 9, 1859, being proclaimed March 31, 1859. As licensed traders they had the right to occupy Indian territory, and through their employes were able to select and occupy the lands desired for townsite purposes, while the Government, under its treaties, was in duty bound to prevent others from doing so.

The election of Abraham Lincoln as President, in 1860, naturally increased the prestige of Captain Todd, who was appointed by Mr. Lincoln a brigadier-general of volunteers September 19, 1861, his appointment expiring by limitation July 17, 1862. General Todd was elected delegate to Congress when the territory of Dakota was organized, and remained a factor in its politics, business and development until his death, January 5, 1872.

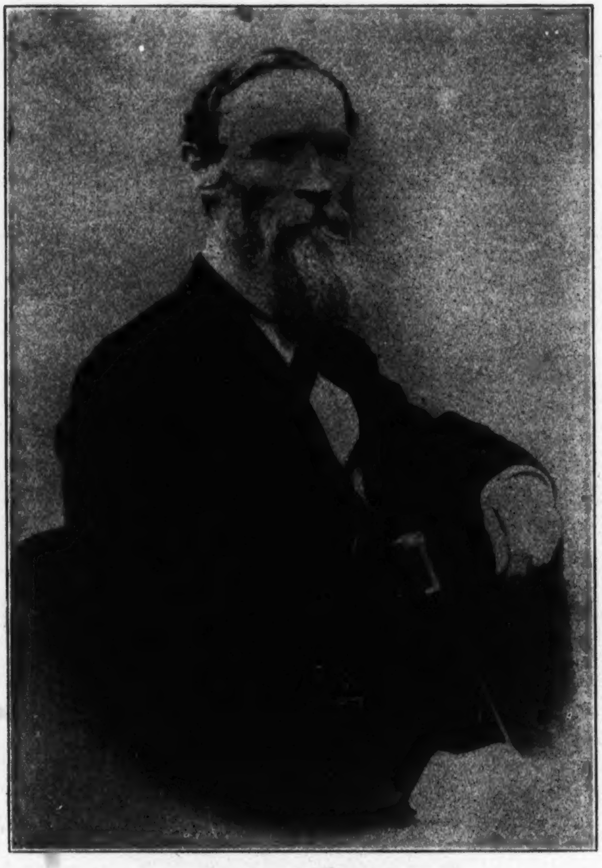
FORT RANDALL ESTABLISHED

In the spring of 1856 General Harney selected the site for the military post at Fort Randall, which was named for Lieut. Col. and Paymaster Daniel Randall, then recently deceased, and on its completion became an important link in the chain of military posts designed for the protection of the advancing settlements.

The first troops to arrive at Fort Randall to begin its construction were eighty-four recruits under command of Lieut. David S. Stanley. He and Lieut. and Quartermaster George H. Page built the fort, the buildings from Forts Pierre and Lookout having been removed to Fort Randall by Maj. Charles E. Galpin, on the steamboat D. H. Morton. Lieut.-Col. Francis Lee commanded the first garrison in the spring of 1857. Lieut.-Col. John Munroe of the Fourth United States Artillery, was in command of Fort Randall in 1861, then garrisoned by four companies. Three companies were sent east, leaving one, in command of Capt. John D. Brown, who left without leave at the breaking out of the Civil war and became a colonel in the Confederate army. He was succeeded at Fort Randall by Lieut. Thomas R. Tannett, who resigned to become a captain in a Massachusetts regiment on the side of the Union. In December, 1861, Capt. Bradley Mahana of the Fourteenth Iowa was assigned to duty at Fort Randall.

FORT ABERCROMBIE

Fort Abercrombie was authorized by act of Congress, approved March 3, 1857, to be established at the most eligible site near the head of the Red River



GENERAL JOHN B. S. TODD
First delegate to Congress from Dakota

of the North, in the vicinity of Graham's Point in Minnesota. It was built on the west side of Red River, by a force under the supervision of Lieut.-Col. John J. Abercrombie of the Second United States Infantry, which arrived August 28, 1858, and spent the winter there. The fort was abandoned in 1859, but reoccupied and rebuilt in 1860 by Maj. Hannibal Day of the Second United States Infantry.

Captain Markham of Company B, Second Minnesota Volunteers, relieved the regulars some time in July, 1861, and was succeeded by Capt. Peter Mantor with a detachment of Company C of the Second Regiment Minnesota Volunteers, who were found there by Company D, Fourth Minnesota Volunteers, under Capt. T. E. Inman, mustered into the service October 10, 1861, and immediately dispatched to Fort Abercrombie, arriving October 22, 1861. Captain Inman remained in command of the fort until the last of March, 1862, when he was relieved by Capt. John Vanderhorck, commanding Company D, Fifth Minnesota Volunteers.

Fort Abercrombie was the nucleus for the first settlement of that region in 1858-59 and one of the principal points of Indian attack during the uprising of 1862, as described in Chapter XIII.

THE BON HOMME SETTLEMENT

In May, 1858, a party en route to Pike's Peak, from Dodge County, Minnesota, settled at Bon Homme, D. T., concluding to look for gold in the grass roots of Dakota rather than in the rocks of distant Pike's Peak. The names of the party were John H. Shober, John Remune, Edward and Daniel Gifford, Fred Carman, John Mantle, John Tallman, Thomas J. Tate, W. W. Warford, George Falkenberg, Lewis E. Jones, Aaron Hammond, wife and child; Reuben Wallace and H. D. Stager. Another party from Dodge County, Minnesota, arrived November 12, 1859, consisting of C. G. Irish and family,, John Butterfield, Jonathan Brown and family, Francis Rounds, Cornelia Rounds and George T. Rounds. C. E. Rowley and Laban H. Litchfield arrived December 26, 1859. Most of these became permanent settlers. William M. Armour settled in this county in 1858, but went on to Pike's Peak in 1859.

The settlers were, however, ejected by the military authorities in the fall of 1858, and moved across the river. Their cabins were torn down, and the logs thrown into the river or burned. This course was taken with all settlers on land covered by the Yankton treaty of 1858, and the settlers were not suffered to return until the following spring, when the treaty was ratified and proclaimed. John H. Shober was a lawyer, and became prominent in the affairs of the territory. George I. Tackett was a settler in 1859.

FIRST IN EDUCATION—FIRST SCHOOLHOUSE

Aside from the Pembina Mission, Bon Homme had the first school, and built the first schoolhouse in Dakota. The building erected by Shober and other settlers was 14 by 15 feet, built of logs, with no floor, and one six-pane, 8 by 1c window. A monument at Bon Homme commemorates the erection of this schoolhouse. Miss Emma Bradford, whose father, Daniel Bradford, and brother Henry came in 1860, taught this school that summer. The pupils were John, Ira and Melissa Brown, Anna Bradford, Anna, Mary and George McDaniels, George and Delia Rounds.

THE SETTLEMENT AT ELK POINT

Eli B. Wixson came to Dakota in 1859, and July 22 settled at a place he named Elk Point, and built a large log hotel. The name was given by the Indians on account of a runway for elk between two points of timber.

In 1857 William P. Lyman, Samuel Mortimer, Arthur C. Van Meter and Samuel Gerou settled on the James River, near Yankton.

OTHER SETTLEMENTS

There were also settlements opposite Forts Pierre, Randall and Abercrombie and at Brule Creek, but each was independent of the other with no concerted action.

Joseph La Plant settled at Big Sioux Point in 1849. John Brughier came to Fort Pierre in 1836. He located near the mouth of the Big Sioux River in May, 1849. John C. McBride, Christopher Maloney, Antoine Fleury, Adolph Mason, Robear Primeau, Archie Christy, Gustav Christy and James Somers were of this settlement prior to the organization of Dakota Territory. Paul Paquette settled on the Big Sioux in 1854, and operated a ferry. Austin Cole selected lands near the ferry in 1857, and became a settler in 1859.

Milton M. Rich, Mahlon Gore, E. B. Lamoure and Judson Lamoure settled at Brule in 1860. Other settlers that year were M. B. Kent, Myron Cuykendall, A. B. Stoddard, Amos Dexter, Orin Fletcher, John Reams and Thomas C. Watson.

George Stickney and family came to Elk Point in 1860, Mrs. Stickney being the first white woman to take up her abode there. John R. Wood and family, however, came about the same time; also William Adams, Myron Sheldon, Hastings Scammond, David Benjamin, N. J. Wallace, J. A. Wallace and Michael Ryan. Among other settlers at that time in the vicinity of Elk Point were Elmer Seward, Lester Seward, Thaddeus Andrews, Carl Kingsley, Patrick Comfort, Nicholas Comfort, Thomas Olson, John Thompson, J. O. Taylor, Chris Thompson, J. E. Hoisington, William H. H. Fate, James Fate, Thomas Fate, Ole Bottolfson, Hiram Stratton, E. C. Collins, William Flannery, K. P. Ronne, Runyan Compton, M. D. Weston, Alvin Cameron, R. H. Langdon, David Pennell, Sherman Clyde, John Donovan, David Walters, David Green, Howard Mosier, Solomon B. Stough, Daniel Ballinger, Silas Rider, Hegeick Townsend, Anthony Summey, Josiah Bowman, Charles Patton, Preston Hotchkiss, James Phillips, Benjamin Briggs, F. W. Smyth, Jacob Kiplinger, Patrick Carey, Daniel Connolley, Michael Currey, Wesley McNeil, George Geisler, J. W. Vandevere, Timothy Brigan, L. K. Fairchild, Henry Rowe, C. W. Briggs, C. M. Northrup, Hiram Gardner, William Baldwin, Frederic Strobel, D. M. Mills, W. W. Adams, Joseph Dugraw, M. U. Hoyt, J. P. Benner, Michael Ryan, Charles LeBreeche, Joseph Yerter, Desire Chaussee and Antonia Rennilards.

IN CHARLES MIX COUNTY

There were a few settlers in Charles Mix County in 1858, engaged in contracting in connection with Fort Randall. In 1861 the population was about fifty, among them F. D. Pease, E. M. Wall, Felicia Fallas, Colin Lamont, John Mallert, E. Fletcher, G. A. Fisher, Joseph Ellis, Joseph V. Hamilton, Colin Campbell, William Bartlett, Abel Forcess, John Archambault, Paul Harol, Napoleon Jack and Cardinelle Grant. Grant, reputed to be the first white settler in Dakota, was born in Canada in 1765. Hamilton was a son of Major Thomas Hamilton of the United States Army, and had been a sutler at Fort Snelling and Fort Leavenworth, built in 1827, and was known as Major Hamilton. He was credited with saving the life of General Kearney and 100 soldiers, who had appeared unarmed at a council with the Indians. Discovering a purpose to massacre the whites, Major Hamilton seized a flaming fire-brand, mounted a keg of powder, and told the Indians that unless they immediately threw down their arms he would fire the powder and destroy all, both whites and Indians. The Indians threw down their arms and the council proceeded without further danger.

THE PONCA AGENCY

This agency was the first settlement west of the Missouri River. Among the settlers at the Agency and in the vicinity, 1858 to 1861, were J. Shaw Gregory, James Tufts, Robert M. Hagamán, Peter Keegan, Jonathan Lewis, Harry Hargis, Joel A. Potter, George Detwiler, Robert Barnum and Charles McCarthy, who as sheriff of Burleigh County was drowned by breaking through the ice on the Upper Missouri, in 1875. Gregory was a son of Rear Admiral Francis H. Gregory, and a man of ability. Gregory County was named for him, and Potter County for Joel A. Potter. The Bijou Hills were named for Antoine Bijou, an early trader in Charles Mix County, according to some authorities, but old settlers in the vicinity declare the hills were named "Bijou" because of a great number of crystals of gypsum sparkling in the sun, and visible at a great distance on the steep rain-washed surface of the blue clay, which forms the bulk of these elevations. Bijou, meaning jewel in French, would naturally suggest itself for a name to the French voyageurs on the river, who could easily gather the crystals from the blue clay along the bluffs when boating.

DAKOTA TERRITORY PROCLAIMED

The settlers at Sioux Falls having proclaimed the unorganized territory, left out when Minnesota was admitted, a new territory to be known as Dakota, a mass meeting was held at Sioux Falls, September 28, 1858, and it was ordered that a meeting should be held on the fourth day of October for the election of two members of the Council and five members of the House of Representatives.

An election was held and the alleged legislature met and elected Samuel Masters governor, and passed a memorial to Congress for recognition as a territory.

A year later another election was ordered, to elect a delegate to Congress and the various county officers and members of the Legislature.

At this election an alleged vote of 1,689 was cast for Jefferson P. Kidder, and 147 for Alpheus G. Fuller, for delegate to Congress. Congress refused to recognize the organization, and it was questioned whether there were that many people in the territory. The Federal census of 1860 gave the number as 2,128, of whom 1,600 were in the Pembina district, largely mixed-blood Indians, while an enrollment under the direction of the Governor of Dakota, in 1861, showed a population of 2,376, of whom 603 were in the Red River district. The persons taking this census were Henry D. Betts, Wilmot W. Brookings, Andrew J. Harlan, Obed Foote, George M. Pinney and J. D. Moore.

The settlements were known as the Red River district, embracing Pembina, St. Joseph and other adjacent settlements, population 603; Vermilion and Big Sioux districts, with settlements at Brule Creek, 47; Point on the Big Sioux, 104; Elk Point, 61; Vermilion, 265; Bottom and Clay Creek, 216; Sioux Falls district, 60; Yankton district, 287; Bon Homme district, 163; Western district, with settlements at Pease and Hamilton, 181; Fort Randall, 210; Yankton agency, 76; and Ponca agency, 129.

The census in the Pembina district was not accepted as correct, for the reason that the greater part of the settlers were out on their annual hunt at the time it was taken.

The census of 1860 showed 84 horses, 19 mules, 286 milch cows, 318 oxen, 338 other cattle, 22 sheep and 287 swine within the limits of Dakota, and the following farm products, viz.: 915 bushels of wheat, 700 bushels of rye, 250 bushels of oats, 280 bushels of peas and beans, 9,489 bushels of potatoes, 1,670 pounds of butter, 1,112 tons of hay, 20 gallons of maple syrup.

When Dakota Territory was organized, in 1861, gold was discovered in Montana, and that fact added to the push of immigration, and to the alarm of the Indians and the need of protection for settlers. Kansas was literally bleeding in the strife between the pro-slavery and free-state elements.

CHARLES F. PICOTTE

Perhaps no name deserves more consideration in the early history of the Dakotas than that of Charles F. Picotte, son of Honore Picotte and the daughter of Two Lance, known to the early settlers of the Missouri slope as Mrs. Major Galpin, a full-blooded Sioux, her father a brave and influential chief. When eight years of age young Picotte was placed in charge of the Rev. Father Peter John DeSmet, the Belgian missionary, who sent him to a boarding school at St. Joseph, Mo., where he remained fourteen years, acquired a liberal education in French and English, and, returning to his tribe at twenty-two, was employed by his step-father in trade with the Indians.

FIRST DAKOTA POST OFFICES

An examination of the records of the Post Office Department shows the following facts relative to the establishment of early Dakota post offices: Pembina, 1855, Joseph Rolette, postmaster; Sioux Falls City, then in Nebraska Territory, James M. Allen, June 15, 1858; J. L. Phillips (Joseph B. Amidon, assistant), June 6, 1861; Sioux Falls, James Andrews, June 24, 1867; St. Joseph (now Walhalla), Charles Grant, January 20, 1855; Medary (Midway County), John W. McBean, January 6, 1857, succeeded by Gustave Kragenbuhl, August 3, 1857; Greenwood, Alexander H. Redfield, September 29, 1859, succeeded by Walter A. Burleigh, June 28, 1861; Fort Pierre, Edward G. Atkinson, September 7, 1855; Niobrara, Bonneville G. Shelley, March 10, 1857; Ponca Agency, J. Shaw Gregory, March 14, 1860, succeeded by John B. Hoffman, July 31, 1861; Vermilion, Hugh Compton, March 25, 1855, succeeded by Samuel Mulholland, April 17, 1860; Yankton, Downer T. Bramble, April 17, 1860; Elk Point, Eli B. Wixon, July 9 1860; Fort Abercrombie, Jesse M. Stone, August 9, 1860; Bon Homme, Moses Herrick, October 2, 1861, succeeded by Richard M. Johnson, December 17, 1862; Fort Randall, John B. S. Todd, January 18, 1857, succeeded by Jesse Wherry, September 29, 1861. J. Shaw Gregory became postmaster at Fort Rice, established January 8, 1866.

CHAPTER XV

DAKOTA PIONEERS

THE CEDED LAND IN DAKOTA—THE UPPER MISSOURI RIVER TOWNSITE COMPANY—YANKTON FOUNDED—THE TREATY OF 1858—THE FIRST CABIN HOME—COL. ENOS STUTSMAN—MOSES K. ARMSTRONG—THE FIRST SURVEYS—DAKOTA TOWNSHIP LINES AND SECTION LINES—THE HOMESTEAD LAW—THE FIRST LAND OFFICE—THE FIRST LAND ENTRY—THE PEMBINA SETTLEMENTS—THE CUSTOM HOUSE—WILLIAM H. MOORHEAD—JOSEPH ROLETTE AND THE MINNESOTA CAPITAL BILL—SETTLEMENTS NEAR FARGO—THE FIRST FLOUR MILL—THE FIRST FARMS IN THE RED RIVER VALLEY—OTHERS IDENTIFIED WITH DAKOTA PRIOR TO 1861—DISCOVERY OF GOLD IN THE BLACK HILLS—THE PICOTTES, GALPIN, PARKIN AND GERARD—IRON HEART: A TRAPPER'S THRILLING EXPERIENCE—MAJ. JOHN CARLAND.

"Westward the course of empire takes its way
The four first acts already past.
A fifth shall close the drama with the day:
Time's noblest offspring is the last."
—*Right Rev'd George Berkeley, Bishop of Cloyne.*

This mystical verse is from lines "On the Prospect of Planting Arts and Learning in America," by Bishop Berkeley (1684-1753), contemporary with the great poets Pope and Swift and deservedly as popular, who, in the hope of Christianizing the Indians, made a futile attempt at settling and establishing a college in Newport, R. I., in 1729. These lines are illustrated in the capitol at Washington, the national seat of government, by a large painting that represents a party of immigrants among the mountains, making their journey under the greatest difficulties. The women and children and old men are in wagons drawn by oxen and horses, the men and boys on foot or riding horses and mules. There is courage, resolution and bravery shining in every countenance which compels admiration for the heroic party from all observers. Sixty years ago this painting was true to life! It was then a realistic portrayal of the popular method of going West.

THE CEDED LAND IN DAKOTA

The ceded land in Dakota left in unorganized territory by the admission of Minnesota to the Union, May 11, 1858, extended from the present boundary of Minnesota to the Missouri River, where it is touched by the Iowa line; up that stream to the mouth of the White Earth River and thence north to the international boundary, and this tract became attached to Nebraska until the creation of Dakota in 1861.

THE UPPER MISSOURI RIVER TOWNSITE COMPANY—YANKTON FOUNDED

In February, 1858, the Upper Missouri Land Company was organized for the purpose of taking possession of townsites on the Missouri River, by Capt. John B. S. Todd and associates, including D. M. Frost, Louis H. Kennerly, Edward Atkinson, A. W. Hubbard, J. K. Cook, Dr. S. P. Yeomans, and Enos Stutsman, secretary.

The treaty with the Yanktons of April 19, 1858, ratified March 9th and proclaimed March 31, 1859, as described in Chapter XIV, was made possible by the activity and influence of this company among the Indians as well as at Washington. Members of the committee in charge of the treaty, were Charles F. Picotte—of whom special mention has been made—William P. Lyman, Zephyr Rencontre and Theophile Brughier. Picotte was granted a section of land by the treaty which was chosen at Yankton. Other locations were made by employes of Frost, Todd & Co., in the interest of this townsite company, and the first surveys were made in accordance with their suggestions. A like grant was made to Rencontre, half a section to Paul Dorain and quarter sections to certain half breeds.

THE FIRST CABIN HOME

Aware of the purpose of the Missouri Land Company to gain possession of the townsite at Yankton, C. J. Holman, his father, W. P. Holman, Johnson Burritt, Gilbert Bowe, Harry Narvea, Stephen Saunders and others, came to Yankton in March, 1858, and built the Holman cabin, which was abandoned after two attacks by the Indians, upon the advice of the military authority; no treaty ceding the Indian lands having been negotiated at that time.

This party was supported by Charles F. Booge, John H. Charles, Billis Roberts, Benjamin Stafford and others, of Sioux City, Iowa. The Holman cabin was the first improvement made at Yankton. Early in April, 1858, George D. Fiske and Samuel Mortimer came to Yankton, representing Frost, Todd & Company, who as licensed traders, claimed the right to remain on Indian lands. C. J. Holman returned in May and built another cabin, and though opposed by both Indians and the traders, was suffered to remain. The Fiske settlement is recognized as that of the first white person to establish a permanent home in Yankton.

The trading post was built in July, 1858, under the supervision of William P. Lyman, the Picotte grant was surveyed by George M. Ryall, of Sioux City, at that time.

James M. Stone, running the ferry at the James River crossing, selected land adjoining the Picotte tract, which lay next east of the Todd tract, the original townsite at Yankton.

The settlers in Yankton County in June, 1858, were George B. Fiske, Samuel Mortimer, William P. Lyman, Samuel Gesou, A. B. Smith, Lytle M. Griffith and Frank Dupuis.

The treaty ceding the Indian lands having been negotiated in April, 1858, Hon. Joseph R. Hanson reached Green Island, Neb., opposite Yankton, in August, 1858, and began a period of watchful waiting for the opening of ceded land. His party consisted of Horace T. Bailey, John Patterson, Kerwin Wilson, Henry and Myron Balcom. The only buildings then at Yankton were the trader's store and the Holman cabin.

COL. ENOS STUTSMAN

Col. Enos Stutsman came to Yankton in 1858, from Sioux City, where he was engaged in the practice of law, and became identified with the townsite company. He was elected to the first Territorial Legislature, which met at Yankton in 1862, and was chairman of the council judiciary committee. At the second session of the Territorial Legislature he was president of the Council, and again president of the Council in 1864-65. In 1866 he was appointed agent for the United States Treasury Department and in July, 1866, visited Pembina in that connection. In 1867 he was elected to the House of Representatives in the Territorial Legislature from the Pembina district, and became speaker of the House. He was re-elected to the House of Representatives in the Legislature of 1868-69, and elected to the Council for 1872-73. He built a hotel at Pembina, and took an active interest in the development of the Red River Valley. Stutsman County, North Dakota, was named in his honor. He died at Pembina, January 24, 1874.

It is a matter of record that in October, 1858, Enos Stutsman, secretary of the townsite company, came to Yankton with Frank Chapell and J. S. Presho. David Fisher, blacksmith, and Lytle M. Griffith, carpenter, came at the same time. Francis Dupuis had rafted from Fort Pierre the cedar logs for the traders' store and he was also there.

In the fall and winter of 1858, while the ratification of the treaty with the Yanktons was pending, A. H. Redfield, special Indian agent, and Maj. Charles S. Lovell, United States Army, visited all of the settlements on Indian lands in South Dakota, and destroyed all on unceded lands, acting under departmental instructions; the Indians succeeding in driving off some from ceded land, claiming they had not consented to the treaty of 1851, at Mendota, nor to the later treaty.

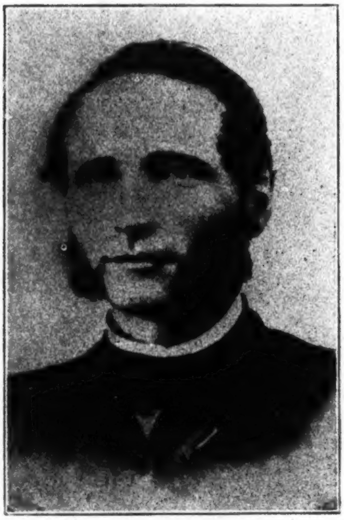
DOWNER T. BRAMBLE

Downer T. Bramble came to Yankton in the fall of 1859, from Ponca, Neb., and erected a store building, the first frame building at that place, 24 by 80 feet. In 1861, his building became the offices for the territorial government. The only other buildings at Yankton then were the Indian traders' store and the log house built by Charles F. Picotte, and the Ash Hotel; all built of logs. Mr. Bramble was a member of the Council in the first Territorial Legislature, and was identified for many years with the business interests of Dakota, as the head of the firm of Bramble & Miner.

Henry C. Ash came to Yankton in 1859 and built a large hotel; Mrs. Ash being the first white woman to make her home at Yankton and her daughter Julia (Mrs. C. H. Bates), the first white child born in the town.

JUDSON LA MOURE

Pioneer of Union County, 1860. Legislator from Pembina County later



COLONEL ENOS STUTSMAN

HUGH S. DONALDSON

First legislative representative from the Red River of the North, 1862.

CHARLES E. GALPIN

Indian trader and husband of Mrs. Picotte

MOSES K. ARMSTRONG

Moses K. Armstrong reached Yankton October 12, 1859, and took an active part in assisting the settlers in the adjustment of their settlement claims to the public surveys. He was elected to the House of Representatives in the first Territorial Legislature, 1862, re-elected to the second Legislative Assembly, and was elected speaker on the resignation of Hon. Andrew J. Harlan. In the fifth session of the Territorial Legislature, he served as member of the Council, and was elected president of the Council in the sixth Legislative Assembly. From 1871 to 1875, he was delegate to Congress from Dakota Territory, and at the request of Col. Clement A. Lounsberry of the Bismarck Tribune, introduced a bill for the division of Dakota, and for a division of the Pembina land district, creating the land offices at Fargo and Bismarck. Similar bills were introduced in the Senate at Mr. Lounsberry's request.

THE FIRST SURVEYS IN DAKOTA

The surveys in the colonies were of tracts in irregular form, excepting in Georgia, where in 1733, eleven townships, of 20,000 acres each, were surveyed into lots of fifty acres.

The new surveys gave townships of thirty-six sections, each one mile square, containing 640 acres, or quarter sections of 160 acres.

The system of surveys of public lands in vogue throughout the United States, was adopted May 7, 1784, by Congress, upon a report by a committee of which Thomas Jefferson was chairman. The origin of the system is not known, beyond the facts reported by the committee.

In the Government Building at the World's Fair of 1893, in Chicago, there was exhibited the original standard surveyor's chain, authorized by Act of Congress, May 18, 1797, for executing surveys of Government lands. The chain was made by David Rittenhouse, of Philadelphia, in 1797, and was still in the same hardwood box in which it was sent out by the manufacturer.

The first Dakota surveys were near Sioux City, Iowa, the boundary being Big Sioux River for 70 miles above its mouth. Townships were there laid out in 1860 by John Ball, and subdivided in 1861, by Cortez Fessenden, lines being extended from older Iowa surveys of 1853. Snow and Hutton ran the straight Dakota-Minnesota boundary in 1859.

The exterior lines of eighty townships in Dakota were run on the lands in the Big Sioux region ceded in 1851, left out of Minnesota by the admission of that state in 1858. The subdivisions of some of these townships were made by Thomas J. Stone, of Sioux City, in 1859. The surveying party which made the survey of 1859, came overland from Dubuque, Iowa. Thomas C. Powers, afterwards United States senator from Montana, and identified with the steamboat interests on the Missouir River, notably of the "Black P Line," was one of this party; also William Miner, identified for many years with Bramble & Miner at Yankton, in general trade.

The township lines were run at Sioux Falls by W. J. Neely in June, 1859, and some of the section lines by John K. Cook in September, 1859. Cortez Fessenden and Moses K. Armstrong, in 1864, ran additional township lines, and Carl C. P. Meyer the section lines that year.

The township lines were run at Flandreau, by W. J. Neely, in September, 1859; the section lines by Richard F. Pettigrew, in September, 1870. Pettigrew was delegate to Congress from Dakota Territory, 1881-83, and afterwards United States senator from South Dakota.

John Ball surveyed the township lines at Yankton, in September, 1860, and the section lines in October of that year.

The township lines were run at Vermilion, by John Ball, in October, 1860, and the section lines by him in November of that year.

At Elk Point the township lines were run by Ball in 1860, and the section lines by Fessenden in 1861.

At Springfield, the township lines were run by John Ball in October, 1860, and the section lines by Cortez Fessenden in August, 1862.

The township lines at Tyndall were run by Ball in October, 1860, and the section lines by Fessenden, in August, 1862.

At Canton, the township lines were run by Cortez Fessenden in 1862, and the section lines by Fessenden, Mellen and Nye, in 1863.

At Parker, the township lines were run by Armstrong, in September, 1866, and the section lines by George P. Waldron, in October, 1867.

At Pembina, the township lines were run by Armstrong, in September, 1867, and the section lines by him in October, 1868.

The township lines at Wahpeton were run by M. T. Woolley, in September, 1870, and the section lines by Horace J. Austin, in 1870.

The township lines were run at Grand Forks by George N. Propper, in September, 1870, and the section lines by George Mills, in September, 1873.

The township lines were run at Fargo by R. J. Reeves, in October, 1870, and the section lines by J. W. Blanding, in November, 1871.

At Bismarck, the township lines were run by Charles Scott, in October, 1872, and the section lines by George G. Beardsley, in November, 1872. After the completion of the railroad as far as Bismarck, the twenty-eight townships along the line from Windsor Station to Steele, had their exteriors run by Gen. William H. H. Beadle and Charles Scott, in 1873, and the subdivisions were completed by these deputies, viz., General Beadle, five townships; Richard F. Pettigrew, fourteen; Amherst W. Barber, five; Mark Bailey, four.

THE HOMESTEAD LAW—STORY OF THE FIRST LAND OFFICE—THE FIRST LAND ENTRY

The Homestead Law became effective May 20, 1862, after a forty years' battle for its enactment. It became one of the cardinal principles of the republican party, brought into power by the election of Abraham Lincoln in 1860; success in part being due to the secession of the southern states in 1861.

The surveyed lands of Dakota Territory became open to homestead entry on the first day of January, 1863. Land officers had been appointed for the first land office in the territory, at Vermilion, and many intending or actual settlers were eagerly awaiting the day. On the last night of the old year a group of friends were having a social chat at the new office, expecting a rush of business on the opening day. One of these was the young printer, Mahlon Gore, from Battle Creek, Mich., who, in 1860, became a pioneer of the settlement. Before they realized the lateness of the hour, the register said, "Here, Gore, didn't you say you meant to be the first man to make a homestead entry? The clock just struck twelve, it is New Year's Day and the Homestead Law is in force, so now is your time if you wish to head the list." Accordingly the entry was immediately made, for the S. E. ¼, N. E. ¼ section 9 and the S. W. ¼ of N. W. ¼ and lots 3 and 5, section 10, township 92 north, range 49 west, fifth principal meridian, as the homestead of Mahlon Gore, and became the first land entered in Dakota, under the public land laws. This is the story as related to Amherst W. Barber, one of the early surveyors of the territory. After forty years of successful journalism Mr. Gore passed away in 1916, at Orlando, Fla.

Following Mahlon Gore's entry were those of John Guardipe, John B. LePlant, Joseph Benoit, Peter Arpan, Clammor Arpan, on January 1, 1863; Frank Verzni, William Mathers, Benjamin Gray, January 2d; Johnson Farris and Martin V. Farris, January 3d; Charles La Breche, Benjamin Guardipe, Charles Chaussee, January 5th; John Brouillard, January 9th; George Stickney, January 13th. June 15, 1868, Joseph Rolette, of Pembina, made the first entry of public land in North Dakota, at the Vermilion office, and the first legal transfer of land in North Dakota was made—that described in Part One—of a part of this tract to James J. Hill, the great railroad builder, on which he established a bonded warehouse for shipments on the Red River in the Fort Garry (now Winnipeg) and Indian trade.

Those who had settled upon public lands prior to the surveys, were allowed ninety days preference in which to file their claims to homestead or pre-emption entries. The names of only those who made entry during the first few days are here given.

THE PEMBINA SETTLEMENTS—THE CUSTOM HOUSE

The settlement at Pembina mentioned in detail in previous chapters, had a history covering fifty years before any settlement was attempted in South Dakota. The surveys, excepting one tier of towns east of the Red River in 1860, were not commenced in that region until 1867, and the land did not become subject to entry until 1868.

Norman W. Kittson, referred to in Part One, in the Red River country and Minnesota, became identified with the Indian trade at Pembina in 1843, and in 1853 was appointed postmaster at that point. In 1855 he was elected to the Council in the Minnesota Legislature. The customs office was established at Pembina in 1851, with Charles Cavileer agent. Mr. Kittson was succeeded as postmaster and custom-house officer by Joseph Beaupre, of St. Cloud, Minn., a contractor for wood and supplies. Beaupre was succeeded at Pembina by James McFetridge, who was a member of the Council of the second session of the Territorial Legislature, 1862-63. Joseph Rolette, frequently mentioned in Part One, in 1847 led a raid on the British traders across the international boundary and burned their buildings. He was elected to the Minnesota Legislature in 1853 and 1855. William H. Moorhead settled at Pembina in 1856. Peter Hayden, found at Pembina in 1867, by Moses K. Armstrong, surveyor, claimed to have resided there since 1821.

WILLIAM H. MOORHEAD, A PEMBINA SETTLER OF 1857—A STORY OF TOWNSITES—INDIAN TRADE AND BUFFALO HUNTING

William H. Moorhead was born in Freeport, Armstrong County, Pa., September 20, 1832; was educated in the public schools of Pittsburgh and Allegheny. He left Pittsburgh April 1, 1852, arriving at St. Paul, Minn., May 1st, where he worked at his trade of carpenter for two years. The summer of 1854 and the following winter he spent at Sauk Rapids, trading with the Winnebagoes, who were subsequently removed to Blue Earth County. Returning to St. Paul, he organized a company to lay out townsites in Northern Minnesota and the Red River Valley. These were the days of paper townsites, laid out on land secured at $1.25 per acre, and sold to the guileless at $2 per lot;—"just the cost of recording the instruments," in the language of the circulars, which were discussed in the country stores throughout the eastern states, and resulted in hundreds of families moving west. There were mill-sites everywhere and waterpowers without number, but no improvement of a permanent character. The company consisted of Mort Kellogg, J. K. Hoffman, Joseph Charles, E. R. Hutchinson, Walter J. S. Traill, a Mr. Horn, and Moorhead. All were residents of St. Paul. Moorhead, Hoffman and Joseph Charles were the committee to lay out the sites. Procuring a surveyor they went by skiff up the Mississippi to Crow Wing River, and then proceeded up that stream to the mouth of Leaf River, and up that stream to Leaf Lake. From that point they made an overland trip to Otter Tail Lake, a distance of four miles, and from there to the outlet, and laid out Otter Tail City, which became famous in the early history of Minnesota, and was the site of the United States land office, afterwards moved to Duluth. From Otter Tail they went down that river forty miles, and laid out another town, which was called Merriam. They nailed a tin plate to a tree and marking the name of the "city" thereon, proceeded to St. Paul, and having purchased provisions, cooking utensils, tools, etc., they returned with two loaded teams, and erected five log houses at the outlet of Otter Tail Lake. At "Merriam" they erected temporary quarters, but it being impossible to get supplies, they cached their outfit and never returned for the buried articles. In it was a compass worth $80. At Leaf City, after leaving Merriam, they met Joseph A. Wheelock, afterwards a noted St. Paul editor, his brother, and others, who were as destitute of provisions as themselves. They made their way to St. Paul, where they offered their shares at $100 each. They valued their property at $150,000, but as a matter of fact they were penniless. Moorhead traded one share to his landlord in St. Paul for his winter's board, but in the spring the shares were without value and the paper town scheme was ended.

In the spring of 1857, Mr. Moorhead met Hon. Joseph Rolette at St. Paul, together with James McFetridge, who were buying goods to take back to Pembina, and they engaged him to erect their new buildings at the mouth of Pembina River. They left St. Paul July 7th, and arrived at the mouth of the Pembina River the 1st of August. Moorhead completed the buildings and remained with Rolette as a clerk, until February, 1858, when he made a trip to St. Paul with a dog train, not seeing a house after he left Pembina until he reached the Mississippi. He left St. Paul with a loaded train March 18th and arrived at Pembina March 30th, the dogs drawing 450 pounds of merchandise. The trip

JOSEPH ROLETTE
Who entered the first public land in North Dakota, June 15, 1868

was a hard one, as he became snow-blind, and it was with great difficulty that he found the way back.

June 8th he left Pembina on a buffalo-hunting expedition, returning in August with fifteen carts loaded with furs, hides and pemmican. That fall he went to the Lake of the Woods and Lake Rosa, to trade with the Chippewas, obtaining much fur, and thence to the Turtle Mountains, where he had good trade with Indians and half-bloods. The same was true at Devils Lake and where Minot now stands, where he remained during most of the winter. In the spring of 1859, he went to St. Paul with twenty-five cart-loads of robes and furs which he exchanged for goods, loading his carts in return for Pembina. He made several trips of that kind, with unvarying profit, until the spring of 1861, when he was compelled to remain in the garret of his house twenty-two days by the high water of that spring. The water was then five feet higher than it was during the season of high water in 1882, the "spring rise" remembered by many of the settlers of that time.

After the water went down, Moorhead moved to Walhalla, where he engaged in trade with the Indians. He was scarcely nicely located before the Indian war broke out, resulting in the Minnesota massacre of 1862. The Indians were on good terms with Moorhead as he was at their treaty, on the plains of Nelson County, in Northern Dakota, when the tribes of Sioux, Creeks, Chippewas and Assiniboines, who for years had been at enmity, always hanging on each other's trail, murdering the women and children of the hostile tribes, met, and buried the hatchet, smoked the pipe of peace, and thereafter dwelt together in harmony; but, as they expected him to sell them ammunition, and not liking their attitude because he refused, he moved to Devil's Lake, where he remained during the summer and winter of 1862. There were then about one hundred families of half-bloods and Indians at the lake.

In the spring of 1862 Moorhead returned to Pembina Mountains, and about the first of May the band of Little Crow, embracing Little Six, Medicine Bottle and others, about one thousand strong, pitched their tepees around his place. Among them, as a prisoner, was the son of William Myrick, about eight years of age, who was ransomed by Frank Gingras for one sack of pemmican. His father had been killed by the Indians and robbed of his possessions. The Indians left for the plains as usual in June, when Mr. Moorhead made his spring trip to St. Paul with his carts, requiring forty days for the trip, and then went to the plains on a buffalo hunt. That fall he married Lizzie Rivier, and made his wedding tour to Mouse River, leaving November 10th with five carts and one travois. They got lost in a snow storm, and it took seventeen days to make the trip. Moorhead built a house after his arrival at a point 1½ miles from where Towner is now located. He remained there during the winter, trading with the Sioux, and found among the Indians a boy ten years old, who had been so long among them that he had forgotten his name and could not talk much English. All he could make known was that his parents lived on a hill in Minnesota. The lad was never able to learn who his parents were or what was their name.

The buffalo were very scarce during the spring of 1863, and as a result many families suffered with hunger. Many of the inhabitants of the plains had to boil their raw hides and harness to keep from starving. Moorhead had 250 tongues of buffalo, nicely dried, which he had saved for Governor Ramsey of

Minnesota, Jesse Ramsey, and other friends in St. Paul, but he gave them to the starving ones.

April 10th the hunters started for the mountains, leaving Moorhead and family with about eight pounds of pemmican, to follow. They rejoiced when able to kill a badger on their way, but after traveling about six miles farther, they overtook their party. Every pot was boiling with a piece of fat buffalo. They had encountered a herd of buffalo and had killed 300. The stale pemmican was thrown away and the party remained three days, living on the fat of the land. For eighteen days they were not out of the sight of buffalo, while pursuing their way to the mountains.

MOORHEAD, LAMOURE AND OTHERS—DATE OF LAND ENTRIES

Hon. Judson LaMoure made the second pre-emption entry in North Dakota, December 19, 1870. At the same time William H. Moorhead, Charles Bottineau and fourteen others, made entry, and during the next eleven days, eleven more, making twenty-eight entries of public lands, and all about Pembina, prior to January 1, 1871.

Outside the Selkirk and Pembina settlements, Lewis Lewiston built a home where Moorhead is situated, in 1860, and raised 100 acres of oats that year. Moorhead was then known as Burbank Station, on the stage line extended from St. Cloud, Minn., to Fort Abercrombie and thence to Georgetown, in 1859. Walter Hanna broke one acre in 1858. Richard Banning raised one acre of potatoes in 1860.

Clay County, Minn., was then known as Breckenridge, and Wilkin as Toombs County, and settlements were progressing well in the Red River Valley until interrupted by the Indian war of 1862.

JOSEPH ROLETTE AND THE MINNESOTA CAPITAL BILL

"Jolly" Joe Rolette was one of the early characters in Dakota whom the City of St. Paul, Minn., has embalmed in its history as one of its saviors.

Rolette was a trader without method and with little idea of the value of money, and, if the whole truth were to be told, it would appear that the opposition traders sent him to the Legislature in order to take him away from his business, and leave the trade open to them without his competition, which was entirely too sharp. His career in the Legislature and the fact that the bill removing the capital from St. Paul to St. Peter was disposed of by him, while a member of the Legislature, excites the inquiry as to how it happened.

One who was present in those old times, says drinking and carousing was not an uncommon thing at the capital; indeed, a jug of intoxicating liquor was placed in the hall of the House of Representatives, and a decanter set on the speaker's desk for the use of the members. Interested parties left Rolette—who as a member of the committee had the bill removing the capital to St. Peter in charge—in a room in the Merchants Hotel, and provided sufficient entertainment to keep him jolly and forgetful, until the Legislature adjourned.

The bill was introduced in and passed the Council and had also passed the House of Representatives and was in the hands of Rolette, chairman of the Committee on Enrolled Bills. A resolution was offered, directing Rolette to report the bill. A call of the House was moved. Rolette sat in his room at the Merchants Hotel, and the members under a call of the House 123 hours without a recess. They then adjourned, but on assembling Friday, the president, Hon. John B. Brisbin, ruled that the call was still pending, and again on Saturday, with the same result. Finally, late the last night of the session the call was dispensed with, and the committee reported Rolette still absent, and their inability to report a correct copy of the bill in his possession, and they were compelled to adjourn without the bill having been signed by the proper officers.

At that time Pembina was in a legislative district, embracing all of North Dakota east of the Missouri River, and much of Northern Minnesota. When the first Legislature met in Minnesota, it was in the Minneapolis legislative district, and when the first session of the Dakota Legislature, in 1862, met, it was in the Sioux Falls legislative district

SETTLEMENTS NEAR FARGO

In July, 1858, Edward Griffin, Robert Davis and Walter Hanna, of Redwing, Minn., arrived at a point on the Red River seven miles south of what is now Fargo, near Fort Abercrombie, and located the Townsite of East Burlington. Fort Abercrombie was built in August of that year, and two companies of soldiers were stationed there. Griffin and party spent the winter at a townsite called Lafayette, near the mouth of the Sheyenne River, about eleven miles north of Fargo, where Charles W. Nash, Henry Brock, Edward Murphy, and Harry Myers were holding the townsite for St. Paul parties. Pierre Bottineau had Frank Durant and David Auger holding a townsite on the Dakota side called Dakota City. George W. Northrup, mentioned in part one as interpreter and guide on a buffalo hunt, was holding a nameless city one mile north of Sheyenne, also on the Dakota side. George Myers and Harry and Richard Banning were holding a townsite at Banning's Point, one mile south of the Sheyenne; Northrup had a trapping party with him. There were fifteen people then connected with these several townsite claims.

THE FIRST FLOUR MILL

In the spring of 1859 Randolph M. Probstfield came to the locality, where he found Adam Stein and E. R. Hutchinson. George Emerling came with him. Emerling went to St. Joseph (now Walhalla) where he built the first flouring mill in North Dakota, excepting a small mill built by Father Belcourt at his mission. Stein and Hutchinson became permanent settlers at Georgetown, and Probstfield seven miles north of Fargo, at Oak Point.

Probstfield was able to purchase supplies at Lafayette. Enroute to the Red River Valley they encountered Anson Northrup with a heavy train of wagons and forty-four men, moving the machinery of the steamer North Star from the upper Mississippi River to the Red River. Northrup sawed the timber by means of a whip saw, and put a steamer on the Red River in 1859, as he had contracted to do. He collected his bonus and left the proposition of manning it to be solved by other parties.

The persons named and James Anderson, living one mile north of Fargo.

known as "Robinson Crusoe," were practically the only settlers on the Red River south of Pembina at this time, March, 1859.

THE FIRST FARMS IN THE RED RIVER VALLEY

Georgetown was established in 1859, by James McKay for the Hudson's Bay Company; a warehouse, store building, shops, etc., being erected. Robert McKenzie was the first in charge. McKenzie was frozen to death returning from Pembina with supplies, and was succeeded by James Pruden, who was followed by Alexander Murray; Mr. Probstfield taking charge in 1864. At the time of the Indian outbreak in 1862, there were thirty men employed at Georgetown. Peter, Joseph and Adam Goodman, brothers of Mrs. Probstfield, were in 1861 settlers in the Red River Valley. Charles Slayton and family came in 1859, and in 1861 Zere B. Slayton settled one mile north of Fargo.

In 1858 Edward Connelly came into the country with a party of twenty, employed by the Hudson's Bay Company. In 1859 he broke fifty acres for that company at Georgetown. This was the first farm opened in the Red River Valley.

The origin of Dakota farming is given in Chapter IV, Part One. Indian farming and the first white farmer, Alexander Henry, 1801, are there mentioned, but in December, 1870, there was not a bushel of wheat, oats, barley, rye or corn produced in North Dakota for export—none whatever, excepting, possibly, a few bushels in the settlements about Pembina and the Hudson's Bay station at Georgetown. Hon. Judson LaMoure states that the only land under cultivation at that time, aside from a few small patches for gardens, was by Charles Bottineau, ten acres; Charles Grant, five to eight acres; Antoine Gingras, twenty to twenty-five acres; John Dole, two or three acres; all at Pembina. There were, perhaps, two acres at Abercrombie. Nier Either and Peter Slamoure broke twenty acres each in 1870, which was put under cultivation in 1871, but in 1870 all of the land under cultivation in North Dakota for every purpose would not exceed one hundred acres.

OTHERS IDENTIFIED WITH DAKOTA PRIOR TO 1861

Francois Jeanotte was born on the Mouse River in North Dakota in 1806, his father a French-Canadian, his mother a Chippewa. His father, Jutras Jeannotte, was engaged in trade on the Mouse River at the time of the Lewis and Clark expedition. Previously, when on the Qui-Appelle his party was attacked by Gros Ventres, his son killed, and his first wife scalped and left for dead, and he was badly wounded. Again attacked by an Indian, he wrenched the gun from him and killed him. At seven years of age, his twin sister was found still alive, scalped, and with fourteen wounds on her body. This was on Beaver Creek, a tributary of the Assiniboine. Francois, at twelve years of age (1818), went to Pembina with his mother, and stayed two years at the Big Salt and Little Salt rivers, where the Hudson's Bay Company had a trading post. In 1820 he states a Chippewa war party found a trading post near Minot.

Basil Clement arrived at Fort Pierre in 1840, at the age of sixteen, and was employed by the American Fur Company; spending that winter at the mouth of the Grand River. Bruce Osborn was also a clerk there at that time. Clement spent the winter of 1841-42 on the Cheyenne. In 1843 he returned to St. Louis on the steamer Prairie Bird with Honore Picotte and Michael McGillivray, coming back Christmas Day. He spent the winter as Camp Trader at Swan Lake (South Dakota). The next winter he was on the Wind River (Wyoming) with James Bridger, a hunter, trapper and explorer at Fort Union in 1844-45, who gave some of the earliest information regarding the discovery of gold in the Black Hills. John Robinson, uncle of Jesse and Frank James, of Missouri, was with Bridger in 1844. The next winter Clement was on the Cheyenne River with Joseph Jewett, trader; the next at the mouth of Thunder Creek on the Moreau, the next with Frederic LeBeau, and on the death of LeBeau he had charge of his post. In 1848 he went to the Black Hills with Paul Narcelle, trapping and hunting. The winter of 1849-50 he was again at the Moreau.

In 1863 he was interpreter for Gen. Alfred Sully on his expedition, later interpreter at Fort Randall, and was intimately associated with Dakota history for over sixty years.

Paul Narcelle was a clerk at Fort Pierre, and after his trip to the Black Hills with Clement he moved to a ranch at the mouth of the Cheyenne River, in 1887, and died in 1889.

John F. A. Sanford, son-in-law of Pierre Chouteau, Jr., member of the American Fur Company, was a sub-agent of the Indians at Fort Clark in 1833.

Charles P. Chouteau was a son of Charles P. Chouteau, Sr., member of the American Fur Company, changed to Charles P. Chouteau, Jr., in 1842, and in 1854 to Charles P. Chouteau Company. His wealth was rated at $18,000,000.

Louis Archambault was at Fort Clark in 1843, with the American Fur Company, and in 1873 a rancher near Fort Rice.

Louis Aagard came to Fort Pierre in 1844 and was at Fort Clark under Joseph des Autel, with the American Fur Company, in 1846-47, an interpreter for the Peace Commission at Fort Rice in 1868, and a rancher in 1873 at Aagard Bottoms, near Bismarck.

Chas. C. Patineaud, interpreter at Fort Berthold, was one of the seventeen defenders of the post in 1863, when attacked by Indians. He came to the Missouri River some years previous to 1855, when he was in charge of a winter trading camp on the Little Missouri.

Simon Bellehumeur, trapper and hunter on Red River in 1804.

Forrest Hancock, trapper on the Yellowstone in 1804, met by Lewis and Clark on their return in 1806.

William D. Hodgkiss, in charge of Fort Clark 1856-59, came to the Missouri River prior to 1840.

Antoine Garreau was met by Lewis and Clark at the Arikara villages in 1805, and by Maximillian at the Mandan villages in 1833. His daughter, Maggie, married Andrew Dawson, who was in charge of the American Fur Company's trade at Fort Clark in 1849, and Fort Benton, 1856 to 1870, when he returned to Scotland, leaving a daughter at Fort Berthold.

Pierre Garreau, son of Antoine Garreau, trader at Fort Clark and Fort Berthold, interpreter for the Pierre Chouteau Company, died at Fort Berthold, 1870.

Charles Bottineau, a brother of Pierre Bottineau, who was born in North Dakota and died at eighty-seven years of age, in 1895.

Charles Bottineau was a son of Pierre Bottineau and partner with Charles Grant, trader at St. Joseph.

Charles Grant was a trader at Pembina, in 1850, and partner of Charles Bottineau at St. Joseph.

John B. Bottineau of this family practiced law in Minneapolis many years and his daughter, Marie M. Baldwin, is a graduate of Georgetown College and in 1916 was employed in the Indian office at Washington. She was born in North Dakota and as a child roamed the prairies with her tribe.

Antoine Gingras was an Indian trader at Pembina in 1850. He engaged later in farming and had sixty acres under cultivation when the Pembina Company was organized, and was then the largest taxpayer in North Dakota.

Reuben Lewis, brother of Meriwether Lewis, was a partner of the Missouri River Fur Company, 1809; in charge in 1811 of the Manuel Lisa Trading Post above the Gros Ventres villages.

Peter Wilson came up the Missouri River in 1825, and later became the agent of the Mandan Indians.

Francois Renville was employed by Norman W. Kittson at Pembina as mail carrier in 1832.

Jean Pierre Sarpee was a member of the American Fur Company. His brother was an independent trader in 1832, at Fort Sarpee above Omaha.

Peter Beauchamp, 1840, was a trader and Arikara interpreter at Fort Berthold for the American Fur Company at the Arikara villages and Fort Clark, trapping and hunting.

Joseph Buckman was a trader and postmaster at Pembina in 1861. He was a member of the Dakota Legislature, and died in 1862.

Joseph Guigon at Fort Berthold, in the employ of the American Fur Company.

Joseph Gondreau, blacksmith at Fort Pierre, was in the employ of the American Fur Company at Fort Clark.

Charles Primeau, who was a clerk for the American Fur Company at Fort Union in 1831, had a brother who was killed by Indians at Apple Creek in 1832. He established a trading post above Fort Clark, which he sold to Hawley & Hubbell. Two years later that firm abandoned Fort Primeau and it was occupied by the American Fur Company, Gerard having charge of the post from 1857 to 1859. He was at Fort Berthold December 25, 1863, when that post was attacked by Two Bears' band of Sioux, as was also Charles Malnouri, who came there in 1860.

In 1869 Gerard became an independent fur trader, and in 1872 a government interpreter, and was with Reno's command at the time of the Custer massacre, June 25, 1876. Later he was engaged in trade at Mandan.

David Pease was a partner with Hawley & Hubbell at Fort Berthold, and agent at the Crow Indian Agency. A. C. Hawley, of the Hawley & Hubbell Company, was deputy United States marshal in Northern Dakota in 1873.

Charles Primeau was interpreter at Fort Yates and died in 1897.

Jean B. Wilke was at St. Joseph in 1847. An affray occurred at his place in 1861 between Sioux and Chippewa Indians, in which several were killed.

Joseph Fisher was a teacher in the Pembina district of Minnesota Territory in 1850.

Father Andre Lacombe, Roman Catholic clergyman, was in the Pembina district, census of 1850.

Maj.-Gen. William P. Carlin, a lieutenant in General Harney's Punitive Expedition of 1855, was for several years identified with North Dakota as commander of the military post at Fort Yates.

Lucien Gerou came from St. Paul to Pembina in 1856, and was in the hotel business at Pembina.

Joseph Mountraille, a half-breed mail carrier, was employed by Norman W. Kittson at Pembina in 1856.

John Cameron was a farmer, ten miles south of Pembina, in 1856.

Antoine Gerard was at Pembina in 1856, employed by the Hudson's Bay Company. He kept the stage station and ferry at Acton.

Joseph Lemae was a custom house officer at Pembina in 1860.

Robert Lemon was a partner, in 1860, of Charles Larpenteur, an independent trader, to whom allusion is made in Part One, and was succeeded in 1862 by La Barge, Harkness & Co.

Andre Gonzziou, in the employ of the North-West Company. Killed by Sioux when buffalo hunting with the Mandans.

THE PICOTTES, GALPIN, PARKIN, AND GERARD

A tribute was paid in Chapter XIV to Charles F. Picotte, son of Honore Picotte, and the daughter of Two Lance, and a brief sketch given of his early life and superior educational advantages.

Charles E. Galpin was an employee of the American Fur Company and superintended, as noted in the reference to that period in behalf of that company, the transfer of Fort Pierre to the military authorities of the Harney Punitive Expedition of 1855. Later he was engaged in trade at various points on the Missouri, in competition with the Pierre Chouteau Company. He was in opposition to Hawley & Hubbell—the firm consisting of A. C. Hawley, James B. Hubbell and Frank Bates of St. Paul—at Fort Berthold. His title of "major" was acquired from the fact that army officers assigned to take charge of Indian agencies were usually of the rank of major, and the Indian traders and military post-traders became majors by courtesy. Major Galpin was distinguished for his courteous manners, and for his efficiency as a trader. He married the widow of Honore Picotte, who engaged in the Indian trade on her own account after the death of her husband, and continued it after the death of Major Galpin on the Cannon Ball River. Her daughter, Amy, now (1916) a widow, who married Henry S. Parkin, still manages their large interests at the Cannon Ball.

Hon. Henry S. Parkin was associated with Jack Morrow of Omaha, Col. Robert Wilson and Maj. Samuel A. Dickey, post trader at Fort A. Lincoln and first postmaster at Bismarck, then known as Edwinton. Parkin was a member of the North Dakota State Senate in 1895.

Major Galpin took an active part with his stepson, Charles F. Picotte, not only in securing the assent of the Indians to the Treaty of 1858, but also in the ransom of whites made captive during the Sioux uprising. Major Galpin died at Grand River in 1870.

Charles F. Picotte was a devoted son, and his devotion, not only to his mother, but to his tribe, was appreciated by the Government. He received a section of land, as stated, which he selected at Yankton, and also an annuity of $3,000 for ten years from the United States in recognition of his valuable aid in negotiating the treaty. Mention has been made of the building erected by him associated with Moses K. Armstrong, in Yankton, used for the first territorial government building in the territory, and he was the sergeant-at-arms of the House of Representatives at the first session of the Dakota Legislature. It was due largely to his influence and that of Major and Mrs. Galpin, that the captives taken by the Sioux in the uprising of 1862, were returned to their homes unharmed. He used his fortune in the entertainment of his Indian friends, became dependent on his salary as an interpreter, and died at the Greenwood Agency.

Joseph Picotte, nephew of Honore Picotte, was a member of the firm of Primeau, Picotte & Boosie, independent traders, supplied by Robert Campbell of St. Louis.

Frederic F. Gerard came from St. Louis to the Missouri with Honore Picotte in September, 1848, then nineteen years of age, was employed at Fort Pierre, and went to Fort Clark in the spring of 1849. He learned to speak the Arikara language and for many years was a reliable Arikara interpreter. In 1855 he accompanied Basil Clement on a hunting trip to the headwaters of the Platte River, bringing back a winter's supply of buffalo meat. There were five Red River carts and seven men on the expedition. They found cholera prevailing on the Platte. After his return he went to Fort Berthold with Honore Picotte.

IRON HEART—A TRAPPER'S THRILLING EXPERIENCE—THE MAGIC STICK

Iron Heart was a prominent Sioux chief taking part in the battle of New Ulm, an incident of the Sioux massacre of 1862, described in Chapter XIII. Francis de Molin, one of the earliest settlers on the Indian Trail and mail route from Grand Forks to Fort Totten (on which two years later William N. Roach, afterwards United States senator from North Dakota, carried the mail), married a daughter of Francis Longie, an old time Indian trader, who was at New Ulm at the time of the Sioux massacre of 1862. He had a narrow escape then as he had many other times, but in each case was saved by the Indian relatives of his wife. At one time he was ordered to leave the country, but his wife's friends formed a bodyguard around him and so marched him to safety. An old Indian asked him when a prisoner, what he thought about their whipping the whites in the war of 1862, and pointing to a rock, he replied that when he could split that with his head they could whip the whites. After the war was over the old chief told him that what he said then was true: they could not whip the whites any more than they could split the rock with their heads. The life of one of Longie's men captured by the Indians was spared on condition that he paint himself and wear breech clouts, but after the first day he rejected the Indian apparel and told them they could kill him if they liked, but he refused to wear that kind of clothing. If he must die, he would die like a white man, and the Indians, respecting him for his bravery, adopted him after that, and defended him against hostile tribes. He appears to have had the benefit of "second sight" and feeling, having for warning an involuntary rising of the hair on his scalp to meet the attack of the Indians when in the vicinity, although not the stirring of a leaf in an unusual manner betrayed their presence. It is recorded of him that while trapping for beaver on the Sheyenne River he became seriously alarmed by this phenomenon, and when he started to make his exit after a night spent in hiding, he found himself completely surrounded by Indians. He was taken prisoner—they had killed his horse—and they then held a council as to who should kill him, but his wife's relatives again prevailed upon them to give him a show, and they consented that he should be allowed to reach a hill near by and then get away if he could. Backwards he proceeded towards the hill, with his gun ready, expecting treachery, but they did not follow him. Iron Heart was in charge of the party.

Iron Heart was a preacher in 1895 down on the Sisseton agency, but he used to tell a story of his "brave" deeds which he thought a great joke. His heart was bad, and in order to gain peace of mind it was necessary that somebody should be killed. Accordingly he got a party of young men together, and started out to war, but he traveled a long way before he found any white settler with surroundings of a character to justify demonstrations. At length perceiving a woman and a child alone in a tent, they went in and demanded something to eat, and having received it, determined to await her husband's return and demand a double sacrifice, to which she retorted that he would kill them with "a stick," that weapon being plainly visible in his hand, as he came whistling home with a deer on his shoulder. Meantime one of the Indians, while they were holding a caucus—with the deer in anticipation—to decide who should have the coveted honor of doing the killing, one Indian, never having taken a scalp, being on the verge of tears in his anxiety, a treacherous hand pulled a trigger without consent, the gun snapped and he was killed by the man "with the stick," who put the entire party to rout. It is understood that Iron Heart did not claim that his name resulted from this incident. He declares he was never so badly frightened before, and that he was sure the man had nothing but a stick.

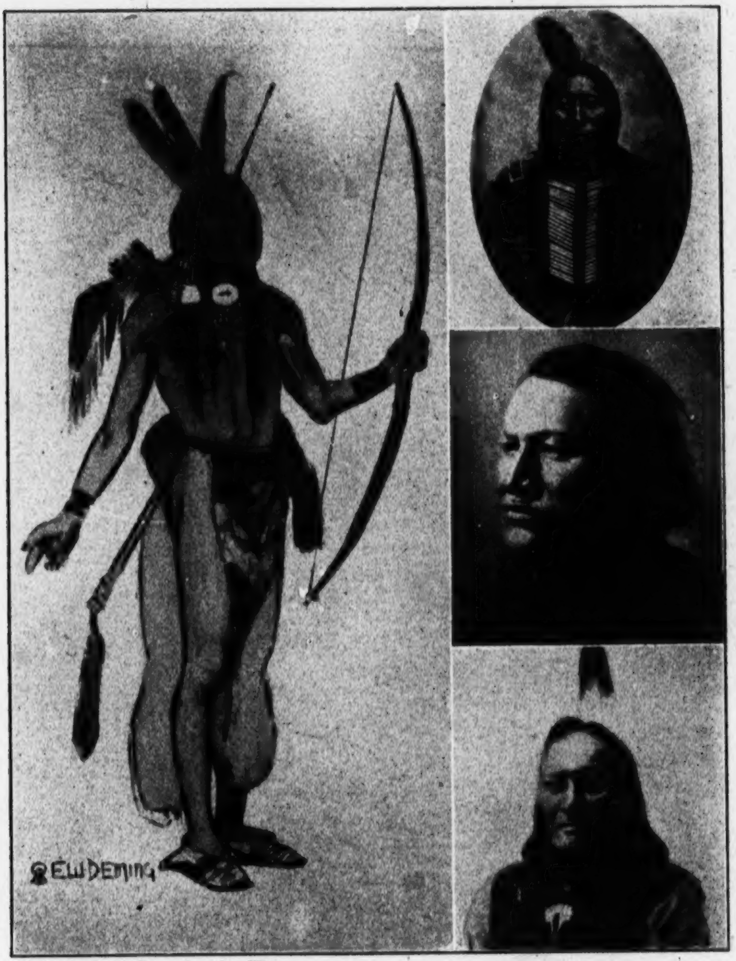
The first winter de Molin was on his ranch, which is thirty-five miles from Fort Totten on the one side, and 100 miles from Grand Forks on the other; these being the nearest settlements, winter set in in November and the snow drifted even to the top of his house. Not having heard from him for three months, Maj. James McLaughlin, who was Indian agent at Fort Totten, sent an Indian out to find him and report. He had lost his first wife and having married a part-blood, he became, under the laws of the Indians and the then rulings of the department, one of the tribe, and entitled to draw rations from the Indian Department. There was a Chippewa half-blood living on the lake five miles from de Molin and they were short of supplies, but managed to live by borrowing from one another. The messenger came on snow-shoes and found them, and they rigged up a dog sledge and went into Fort Totten with him for supplies. The snow was waist deep, and dog and men were completely exhausted when they reached an Indian camp near the agency. After resting they went into headquarters, leaving their dog and sledge at the Indian camp, but when they returned, the next day, with their provisions, they found the Indians had killed their dog and had a feast on his remains the night before; so they had to "pack" their provisions thirty-five miles through the deep snow on their return home.

Senator Roach's mail carriers sometimes had to rely upon the dog sledge to get the mail through. On one occasion a son of Colonel Smith, a half-blood and a white man were coming through with the mail by dog train, and got lost in a blizzard. They had three dogs in their train. They had killed one for food and one had frozen to death. They lay in a snow bank two days and nights but finally reached de Molin's, staggering from exhaustion, and fell at his door. Their lives were saved by the provision he was able to make for them. The Indians were very troublesome at times and even his Indian wife feared to remain with him.

In 1873, two Indians from Fort Totten killed the de Lorme family, near Pembina, and returned to the agency, where Major McLaughlin ordered them captured dead or alive. After their arrest one of them got away, and after being shot through the legs raised himself and defied them, but the soldiers killed him. The other went to Standing Rock, where he raised a war party of 400. They killed a stage driver, and it became very threatening for a time.

MAJ. JOHN CARLAND

Maj. John Carland was identified with the history of Dakota as a captain in the Sixth United States Infantry. He was major in the Twenty-third Michigan Regiment at the close of the Civil war, 1865, and had charge of the Indian ponies surrendered by the Sioux after the Custer massacre in 1876, which were taken overland to St. Paul, and sold for the benefit of the Indians. His son, John E. Carland, has filled the offices of United States district attorney and district judge of South Dakota, and later United States circuit judge.



Photos by D. F. Barry, Superior, Wis.

Sioux Warrior

Crow King
John Grass
Running Antelope

NOTED SIOUX

CHAPTER XVI

THE CONQUEST OF THE SIOUX

CHRISTIANIZING THE DAKOTAS—AMERICAN MISSIONARY BOARD STATIONS AT LAKE CALHOUN—LAC QUI PARLE—TRAVERSE DES SIOUX—THE INITIATIVE OF CULTURE—TRANSLATION OF THE BIBLE INTO THE SIOUX—EAGLE HELP'S VISION—SIMON'S CONVERSION—EARLY SETTLERS OF SPIRIT LAKE—AFTER THE SIOUX MASSACRE OF 1862—CHURCH OF THE SCOUTS—SPIRITUAL DEVELOPMENT IN PRISON—REMOVAL OF THE SURVIVORS AND PARDONED TO DAKOTA—JOSEPH RENVILLE, DOCTOR RIGGS AND ASSOCIATES—THE PILGRIMS OF SANTEE—FOUNDING OF THE RELIGIOUS PRESS—THE FIRST GENERAL CONFERENCE—THE SABBATH—MEN OF MARK AMONG THE MISSIONARIES—PROPHETS AND BLACK GOWNS.

> Fling out the banner! let it float
>   Skyward and seaward, high and wide;
> The sun, that lights its shining folds,
>   The cross, on which the Saviour died.
>
> Fling out the banner! angels bend
>   In anxious silence o'er the sign;
> And vainly seek to comprehend
>   The wonder of the love divine.
>
> —*Bishop G. W. Doane.*

CHRISTIANIZING THE DAKOTAS—THE INITIATIVE OF CULTURE

In 1834, a Dakota village of about four hundred people existed on Lake Calhoun, extending to Lake Harriet, now embraced within the city limits of Minneapolis, Minn. Here that year the Rev. Samuel W. Pond and his brother, Gideon H. Pond, commenced the spiritual conquest of the Dakotas. In 1835, they were joined by the Rev. Jedediah D. Stevens and Dr. Thomas S. Williamson, also a medical practitioner, and Lake Calhoun became a station of the American Missionary Board. They immediately began a systematic study of the Sioux language in order to better reach the understanding of the natives, and by 1837, they had gathered a vocabulary of five or six hundred words, this, Dr. Stephen R. Riggs declared, forming the basis of the Dakota (Sioux) grammar. Two houses were built of tamarac logs, in one of which a school was established with half a dozen pupils, principally mixed-blood girls. In 1836, at the request of the Indian trader, Joseph Renville, a three-fourths blood Sioux (first mentioned on the Minnesota River in Part One), a congregation of seven members was organized, principally of the household of Mr. Renville, who rendered invaluable aid in the translation of the Bible into the Dakota language, until then a rude spoken dialect. The Bible was translated and hymns composed or translated, and reduced to written form in the Dakota tongue. It was the beginning of the creation of the literature of a nation.

In an upper room—10 by 12 feet—of a log house, Doctor Riggs lived and worked for five years. Here his first three children were born, and here his grammar of the Dakota language was prepared, and the greater part of the New Testament translated.

Mr. Renville had great influence over the Sioux. The members of his own family learned to read, and some of the "Soldiers' Lodge" (council of warriors) were next to learn.

In the lower room of the Williamson building, twenty-five or thirty men and women gathered every Sunday, to whom Doctor Williamson preached and being a physician he was often able to contribute to their temporal welfare. They sang Dakota hymns composed by Mrs. Renville, and Mr. Pond prayed in their language.

Mr. Renville's home at Lac qui Parle was known as Fort Renville, having been built for defense as well as trade with the Ojibways (Chippewas). It consisted of a store building, a reception room with a large fireplace, and a bench running almost around the room, on which the men sat or reclined. Mr. Renville sat in a chair in the middle of the room, with his feet crossed under him like a tailor. Verse by verse the Bible was read, Renville translating into the Dakota language, written by Doctor Riggs or Mr. Pond, and again read from the Indian language.

Thus from week to week the work went on until the missionaries became entirely competent to make their own translation, which was finally completed in 1879. Renville died in March, 1846, at Lac qui Parle.

In the prosecution of their work they encountered the most bitter opposition, which was engendered in savage breasts by ignorance and superstition, and intensified by the malice, jealousy, avarice and licentiousness of white frontier traders.

Eagle Help is claimed by Doctor Riggs—from whose book, "Mary and I," these facts are principally obtained—to have been the first Sioux to read and write the Dakota language, and to have been of great help in the work of translating the Bible. Eagle Help was not only a warrior but a prophet. After fasting and praying and dancing the circle dance, a vision of the enemies he sought to kill would come to him. In his trance or dream, the whole panorama —the river, lake or forest, and the Ojibways in canoes, or on the land, would appear before him, and the spirit he saw in his vision would say, "Up, Eagle Help, and kill."

On one occasion having had a vision, Eagle Help got up a war party of a score of young warriors, who fasted and feasted, decked themselves in hostile array, danced the "No Flight Dance," listened to real war stories by the old men, and went off to war, first killing two Mission cows. When they returned, after many days, without having seen an enemy they blamed the missionaries for Eagle Help's false vision.

Jean N. Nicollet and Lieut. John C. Fremont visited the camp soon afterward (1839), and induced the Indians to pay for the cows. Eagle Help accounted for his failure as a war prophet by the claim that his knowledge of the Christian religion had destroyed his powers.

The treaty of 1837, providing for the education of the Sioux, Doctor Riggs held, had proved to be a handicap rather than a help, because the traders induced the Indians to oppose the use of the money for that purpose and to insist upon its being turned over to them for general purposes; and lest there might be a treaty some time that would permit the missionaries to get the money, they ordered the Soldiers' Lodge (Council of Warriors) to prevent the children from going to school.

In the work of the missionaries the women were not only taught ordinary household duties, but to spin, knit and sew, and the little girls to do patchwork, that is, sew pieces of calico of various colors, cut in squares, together to form a quilt or counterpane for a bed.

"Before the snows had disappeared or the ducks come back" in the spring, the annual hunting party would return laden with rich furs and other products of the chase, and the traders would then reap their harvest; to be followed by a long period of distress among the Indians dependent on hunting for their subsistence.

In January, 1838, a hunting party of Sioux divided while in the vicinity of the present site of Benson, Minn., leaving three lodges there alone, which were visited by Hole-in-the-Day, a Chippewa chief, accompanied by ten warriors. The Sioux, although near starvation themselves, treated their guests hospitably, killing two dogs and giving them a feast, and in return the Chippewas arose at midnight and murdered the entire three families. In 1839, 1,000 Ojibways on a peaceful mission, left Fort Snelling, in two parties; one by way of the St. Croix River and the other by way of Rum River, and on their return to their homes both parties were followed by the Sioux in retaliation for the death by two young Ojibways of a prominent member of the Lake Calhoun Village to avenge the killing of their father by the Sioux. A terrific slaughter ensued and as a consequence the Sioux fearing to remain at Lake Calhoun removed to the Minnesota River and with them the missionaries who established themselves in a station at Lac qui Parle now in Minnesota.

In 1840, the rate of postage was 25 cents on letters, and although Lac-qui-Parle was less than two hundred miles from Fort Snelling, the nearest postoffice, it was sometimes from three to five months before mail could be obtained from there at Lac-qui-Parle.

In 1840, when Doctor Riggs visited Fort Pierre, where there were about forty lodges of Tetons then encamped, he decided that the time had not yet come to carry the work into that region, but in later years it was transferred to Dakota.

In 1841, Simon Anawangomane (the Simon Peter of the Sioux) became the first Dakota brave to embrace the Christian religion. A considerable number of women had become converted, but the braves were not willing to follow their lead. It was hard for Simon to give up taking human life, says Doctor Riggs, and still harder to give up his surplus wives; but after three years of wrestling with the proposition, he yielded and led the Christian warrior band, becoming a bright and shining star to lead their way. He put on the white man's clothing and planted a field of corn and potatoes. The braves, knowing his mettle, let him alone, but the women and children pointed the finger of scorn at him, which he resisted, but the temptation of strong drink mastered him and Simon went back for a time to his old Indian dress and ways, but in 1854 returned to the church. At first he only ventured to sit on the doorsteps, then he found a seat in the furthermost corner, advancing by degrees to his old place, and for more than twenty years he took a leading part in christianizing the Sioux; the last ten as a licensed exhorter. He was wounded in the battle at Wood Lake, and his son, who was wounded at the same engagement, died of his wounds.

The mission at Traverse-des-Sioux was established in 1843, by Doctor Riggs and associates. That year two Sioux on the way to meet the missionaries were killed by Ojibways sneaking in the grass, and to avenge their death their friends shot the horse belonging to the mission and later two oxen at intervals met a similar fate at their hands.

Traverse-des-Sioux was situated twelve miles above the present City of Lesueur, Minn., twenty-five miles from Lac-qui-Parle. St. Paul was then a mere collection of grog shops, depending principally on the Indian trade. The enterprising Indians from the Minnesota River would go to St. Paul, buy a keg of whiskey, have a carousal on part of its contents, fill it up with water, and then go to Dakota and trade it for a horse.

By 1848, the attitude of the Indians toward the missionaries had so changed that the Soldiers' Lodge was placed at their service. .

The Dakota Presbytery, organized in 1845, licensed and ordained George H. Pond and Robert Hopkins, ministers of the Gospel, and Rev. Moses N. Adams, Rev. John F. Alton and Rev. Joshua Potter came to that region for work among the Dakotas. Reverend Mr. Hopkins was drowned July 4th of the same year. In June, 1849, the Christian work was extended to Big Stone Lake.

In 1851, the army offices at Fort Snelling had collected a Sioux vocabulary of five or six hundred words. The collection of Doctor Riggs had then reached 3,000, in two years more it had doubled, and in 1856, reached 10,000 words. The Dakota Dictionary when published in 1874 contained 16,000 words.

In 1852, Doctor Williamson erected buildings at the Yellow Medicine Mission.

In 1857, the mission-house at Lac-qui-Parle was burned and the station was moved to Hazelwood, six miles from the Yellow Medicine Agency, and there rebuilt. The Indians from Lac-qui-Parle followed to the same place.

At first the Dakota children were educated in the families of the missionaries, but at Hazelwood a boarding school was established, starting with twenty-pupils.

EARLY SETTLERS AT SPIRIT LAKE

In 1857, when there were about fifty settlers at and near Spirit Lake, Iowa, Inkpadoota, who was the leader of a hunting party of Wahpetons, visited that locality. Game being scarce and the party in bad humor, they made demands on the whites which were not readily complied with, so the Indians helped themselves, and were insulting to the women of nearly the whole settlement. Four women were carried away captive; one of whom, Mrs. Marble, was treated kindly, having been purchased by friendly Indians and ransomed. One slipped from a log on which she was required to cross a stream, and while in the water was shot by the Indians. Another, Mrs. Noble, was killed in Inkpadoota's camp, and Mrs. Abbie Gardner was returned to her family through the good offices of John Other-day and other Indians friendly to the mission. One of the sons of Inkpadoota took refuge in the Yellow Medicine Camp and was killed in an effort made to capture him. The annuities having been stopped until the Indian murderers were surrendered, Little Crow with a hundred braves having undertaken to punish them, reported that he had found and fought them, killing a dozen or more, and the government accepted his statement as true and restored the suspended annuities, but little Crow's story was not believed by the friendly Indians.

For twenty-seven years the work of Doctor Riggs and his associates had moved steadily forward, when the mission moved from Lac-qui-Parle to Traverse-des-Sioux and seventy-five communicants had been gathered into the churches. The clouds seemed lifting, the prospects brightening, when there burst around them that terrible cyclone of blood on the fatal 18th day of August, 1862, when the Sioux massacre began, their churches and homes were laid in ashes, their members were scattered and the missionaries compelled to flee to St. Paul and Minneapolis. Apparently the missionary work among the Dakotas was doomed.

The friendly Indians made a cache in which they buried money and valuable books belonging to Doctor Riggs, and the library at Hazelwood. Spirit-Walker, Robert Hopkins, Enos, Good Hail and Makes Himself Red, were sent after Mrs. Huggins, of the mission, who had been protected in the family of Spirit-Walker.

The seed sown in the hearts of some of the Indians bore fruit, not only at the time of the massacre, but in the prison camp, where the work of regeneration gained its greatest headway. During their confinement, the prison became a school and an interest in the Christian religion was awakened and fostered that later largely contributed to the civilization of the Sioux.

THE CHURCH OF THE SCOUTS

Hundreds of Indians were captured and imprisoned at Mankato and Fort Snelling, and, in their confinement, these Indian captives sent for the very missionaries they had rejected when free. They listened eagerly to the story of redeeming love. A precious work of grace sprung up among them and hundreds were converted. Three hundred Indian braves were baptized in a single day at Mankato, and organized in the prison a Presbyterian Church, the "Church of the Scouts." When they were released and returned to the agencies, in 1866, they formed the nuclei of churches and schools and Christian communities. The next spring the families of the condemned prisoners were sent to Crow Creek Reservation, Dakota. The prisoners not executed were taken to Davenport, Iowa, where, at Camp McClellan, they were guarded by soldiers for the next three years. Then their irons were removed and later they were allowed to go to town and sell bows and arrows and other things of Indian make, or go to the country to work. About thirty per cent of the Indians died of disease during their confinement; smallpox prevailing among them adding much to the losses. Something over one hundred men, women and children were added to the camp, although not condemned.

Thirteen hundred Indians were sent to Crow Creek, Dak., in 1863, 300 of these passing away before June 1st and the ravages of disease continued.

Little Six and Medicine Bottle, who were indicted for complicity in the massacre, were captured later, tried, convicted and hanged.

In 1866 the surviving prisoners, among them members of the "Church of the Scouts," were restored to liberty and joined their families on the Niobrara River.

Simon Anawangomane and Peter Bigfire were licensed to preach, and Davis Renville was ordained a ruling elder.

During the campaign against the Indians the Wahpetons and Sissetons in the employ of the Government, formed camps at Lake Traverse and Buffalo Lake, known as the Scouts' Camps. These camps were within what afterwards became the Sisseton Reservation in North and South Dakota, and formed a bulwark against the roving bands of Sioux who infested the country.

Fort Wadsworth had but recently been established, and there were a number of friendly Sioux employed there. Solomon Toon-kan-shacehaya, Robert Hopkins, Louis Mazawakinyanna and Daniel Renville were licensed to preach in 1867. Louis went to Fort Wadsworth and commenced religious work there. Rev. George D. Crocker was post chaplain at the fort. John B. Renville and Dr. Thomas J. Williamson were engaged in religious work in the vicinity and at the fort. In 1868, they were joined by Doctor Riggs, John P. Williamson and Artemus Ehnamane, a native minister. John B. Renville and Peter Bigfire had settled at the head of Big Dry Lake, Dakota, where a camp-meeting was held in 1868, and about sixty persons added to the native church. Another camp-meeting was held at Buffalo Lake. A church was organized at Long Hollow, and Solomon was selected to be their religious teacher. In 1869 Doctor Riggs again visited Fort Wadsworth. Dr. Jared W. Daniels, the new agent, was then on the ground. The annual camp-meeting was held at Dry Wood Lake. Doctor Daniels commenced to build a dormitory and school at that point, and W. K. Morris became the teacher. It was then John B. Renville moved to Lac-qui-Parle to the reservation. Daniel Renville was also there and Gabriel Renville was at the agency. Ascension was then the leading church with J. B. Renville pastor. Daniel Renville was chosen pastor at Goodwill. Solomon at Long Hollow, Louis at Fort Wadsworth, or Kettle Lake, as then called, and Thomas Good at Buffalo Lake; Louis later going to Manyason. In 1871 there were eight native church organizations in Dakota.

Amherst W. Barber, who has rendered much valuable assistance in the preparation of this work, visited the Big Sioux River Indian settlement, in Dakota, in connection with his work as a United States surveyor in 1873. There was then a white teacher there, a handsome church, and a schoolhouse for the Indian settlers occupying comfortable log houses and lands allotted to them, and now, in 1916, they and their children enjoy all the rights of American citizens and are accorded the respect due them as such. They were pardoned warriors from Little Crow's band.

THE PILGRIMS OF SANTEE

The pilgrims at Santee numbered 267, with Rev. Artemus Ehnamane and Rev. Titus Ichadorge, pastors. The Flandreau, or River Bend Church, numbered 107 members, Joseph Grow-old-man, pastor, and the Lac-qui-Parle Church 41 members. The Ascension Church on the reservation had 69 members with Rev. John B. Renville, pastor. The Dry Wood Lake Church had 42 members, Rev. Daniel Renville, pastor. The Long Hollow Church had 80 members, Rev. Solomon Toon-kan-chachaya, pastor. The Kettle Lake or Fort Wadsworth Church had 38 members with Rev. Louis Mazawakenyauna, stated supply, and a church at Yankton agency had 19 members in charge of Rev. John P. Williamson.

FOUNDING THE RELIGIOUS PRESS

In May, 1871, a publication known as Iapi Oaye, or Word Carrier, was established in editorial charge of Rev. John P. Williamson. The paper was at first printed wholly in the Sioux language; after the first year a portion in English.

THE FIRST GENERAL CONFERENCE

The first general conference was held in 1871, on the Big Sioux, where a number of Indians had taken homesteads, and these homesteaders in due time (twenty-five years) received unrestricted patents to their land and were admitted to all the rights carried by United States citizenship.

The Dakota Mission had been connected with the American Board of Commissioners for Foreign Missions of the Presbyterian Church; but in 1870, Rev. Albert L. Riggs, a Congregationalist minister, went to the Santee Agency and established the Santee High School, with Eli Abraham and Albert Frazier assistants. Doctor Daniels, who had built an Episcopal house of worship at the Sisseton Agency, having been appointed on the recommendation of the Rt. Rev. Bishop H. B. Whipple, resigned, and Rev. Moses N. Adams was appointed in his stead.

In the month of June, 1872, when the roses on the prairie began to bloom and the grass took on its richest green, a conference was held at the Church of Goodwill, Sisseton Agency, Dr. Thomas S. Williamson, then of St. Peter, Minnesota, and Rev. John P. Williamson of Yankton, Rev. Joseph Ward of Yankton, and the Pond brothers, and Rev. Albert L. Riggs and Thomas L. Riggs of Santee, being present; the visiting clergymen driving from two to three hundred miles for the purpose. The gathering of the natives was very large.

The following spring a treaty was made by Agent Moses N. Adams, William H. Forbes and James Smith, Jr., United States commissioners, by which the Wahpeton and Sisseton Indians released their claims to Northeastern Dakota, on account of the Northern Pacific Railroad, and that year a brick schoolhouse was dedicated at the Sisseton Agency.

In closing an account of the conference at Yankton Agency in 1873, Doctor Riggs writes: "And hands received the sacrament which, but for a knowledge of this dear sacrifice, might have regarded it their chief glory that their hands were stained with human blood," adding "Just as we close, in strange contrast with the spirit of the hour, two young Indian braves go by the window. They are tricked out with all manner of savage frippery, ribbons stream in the wind, strings of discordant sleigh-bells grace their horses' necks and herald their appearance. Each carries a drawn sword which flashes in the sunlight, and a plentiful use of red ochre and eagle feathers completes the picture."

In the winter of 1873 a mission was established for the Tetons opposite Fort Sully. The Indians threatened to burn the mission house, hostiles crowded about the place, and their camps were noisy with singing and dancing, preparing for war.

That year, Agent Moses N. Adams erected a building for a training school at the Sisseton Agency, and that winter it was used for training girls under the care of Mr. and Mrs. Armor. Mr. and Mrs. Morris cared for the boys in other quarters. There were sixteen of each. In 1874 a church was erected on the Sisseton Agency at a cost of $1,800, and the Dakota House at the Santee Agency was completed at a cost of $4,200. That year Doctor Riggs visited Fort Berthold. Maj. Lawrence B. Sperry was the agent. Rev. Charles L. Hall, married but a week previous, was ordained and sent to the Berthold Agency, and for forty years has been doing most excellent work for the uplift of that tribe of Indians.

The conference at the Sisseton Agency in 1876 was welcomed by Agent Maj. John G. Hamilton, who has supplied information of incalculable value in the preparation of this history. At this meeting a Dakota Missionary Society was organized, and $240 was raised for a mission to be stationed at Standing Rock. David Grey Cloud was selected for that work.

A letter written by Mrs. Stanley, wife of Gen. David S. Stanley, to the New York Evangelist, calling attention to conditions bordering on the Missouri River, in 1870, served to help.

At the Conference of 1877, Rev. John Eastman, the youngest of the native clergymen, took a leading part.

The following matter prepared by Rev. R. L. Creswell in 1896, gives additional facts in this connection:

"There are now (1896) amongst them 19 ministers, 21 congregations, 1,280 communicants, and 862 Sunday school scholars. They expended last year for missions, $1,350 and for other expenses, $2,700, in all, over four thousand dollars for church purposes. There are, also, 10 Congregational churches with 670 communicants. These two great denominations have many schools filled with Dakota pupils. In 1872, at Sisseton, Dakota Territory, they organized the Dakota Indian Conference for the purpose of uniting more closely the Dakota churches, stimulating the Dakota workers and advancing our Savior's Kingdom. This conference meets annually and is the great event of the year for this tribe.

"In 1875, the Native Missionary Society was organized, 'to send the gospel to the heathen Indians.' Under its auspices there are thirty-one Women's Missionary societies and several Young People's bands in successful operation. They carry on several mission stations and collect and expend annually $1,200. In 1880 they organized Young Men's societies, 'in order that their young men might grow in the love and spirit of God.' In 1885, they affiliated with the General Association of the Whites. Their Twenty-fifth Annual Conference was held September 13-16, 1895, at Mountain Head, S. D., at the northern end of the Coteau of the Prairies. This was the hunter's paradise in the olden time. In 1823, 4,000 buffalo skins, besides other valuable furs, were shipped from this locality. It is a picturesque spot, well adapted to such a peculiar gathering. Two hundred and fifty delegates and 1,000 spectators were present. They were gathered from all the thirteen Sioux agencies. The opening exercises consisted of an address by Rev. John P. Williamson, D. D., on 'Sociology,' and the presentation of the 'Fundamental Points of the Gospel Message,' by the Rev. A. L. Riggs, D. D. Then with prayer, praise, reading of the Word, and with warm words of Christian greeting, the regular work of the conference was ushered in. The discussion of such themes as 'Is no band of the Dakotas yet prepared for citizenship?' 'What are the Indians to do for a living?' 'What may be, and what may not be done on the Sabbath?' occupied the day sessions of Friday and Saturday. The Flandreaus, the Sissetons and Wahpetons were thought to be quite well fitted for citizenship. The Indian should work for his living like white folks. Only works of absolute necessity and real mercy should be done on the Sabbath day. The Y. M. C. A. occupied the evening sessions in the interest of the young men. They were addressed by Secretary Copeland, of Winnipeg, on 'Study of the Bible,' and by Dr. Charles A. Eastman, of St. Paul, on 'Our Bodies.' He is a trained Christian physician of their own race. Rev. Charles R. Crawford and Rev. John Eastman, native pastors, discussed these important questions, 'What is it to be a Christian and how shall a Christian fulfill the duties of his position.' The Dakota Presbytery and the Dakota Association convened on Saturday and heard reports from all their churches and mission stations. Pleasant and profitable missionary gatherings for the women and endeavor meetings for the youth were also held. The large auditorium was thronged at every session, with hundreds hanging about the doors and windows, all intensely interested in and gravely listening to the discussions. Many took notes which will be repeated to smaller gatherings, and thus the whole tribe will be largely reached and benefited.

"The speeches were brief, earnest, pointed. The speakers stopped at once when through. The Indian has not yet learned to speak against time. The singing was sweet and soul-stirring. Hundreds of Indians, spending day after day in such discussions, and 200 Indian women singing gospel hymns and engaging in prayer and bringing their gifts to send that same glorious gospel to their degraded sisters elsewhere, were grand sights to see.

THE SABBATH

"The Sabbath dawned most gloriously. The picturesque bluffs around the church were covered with the white tepees of the Christian Dakotas. Prayer and praise went up in the early dawn to the Great Spirit, whom they now worship, 'in spirit and in truth.' At 11 A. M. a vast audience gathered out of doors and the crowning services of the whole series began. Hundreds of Dakotas sitting in ranks on the grass listening reverently to the gospel from one of their own race, singing heartily in their own tongue 'All hail the power of Jesus' name,' and receiving joyfully the symbols of our Saviour's love, formed a scene never to be forgotten.

"May the richest blessings of heaven rest upon the work and the workers among the Dakotas. Its final and complete triumph is assured."

MEN OF MARK AMONG THE MISSIONARIES

The Rev. John P. Williamson, D. D., of Greenwood, S. D., was born in 1835, the first white babe born at Lac-qui-Parle, Minnesota. He has taken his sainted father's place, has grown up in the work, speaks both languages fluently, and is greatly revered by all the Dakotas, who lovingly call him "John." He is the general superintendent of the Presbyterian work among the Dakotas. The Rev. A. L. Riggs, D. D., of Santee, Neb., whom the Indians called "Zitkadan Washtay" or "Good Bird," when a babe at Lac-qui-Parle, with his brother, Rev. Thomas L. Riggs, are men of might in the Congregational department of the work. They are sons of the Rev. Stephen R. Riggs, who entered the work in 1837. Rev. John Baptiste Renville of Iyakaptapte (Ascension) is the youngest son of the famous Joseph Renville. His is the longest pastorate in the Dakotas. He is an able and eloquent minister, a faithful pastor and a genial Christian gentleman. He is the owner of a good farm and a comfortable home well furnished, and is greatly beloved by both whites and Indians.

Rev. Artemus Ehnamane (Walking Through) was a famous warrior in his youth. He participated in the early bitter contests of his nation with the Chippewas, danced the scalp dance on the present site of Minneapolis (then a windswept prairie), was converted in the Mankato revivals of '63 and is now pastor of a very large native congregation. Rev. John Eastman, a young man of promise, is a Presbyterian pastor, and Government agent for the Flandreau Band. He claims for his people, "every adult a member of the church and every child of school age in school."

PROPHETS AND BLACK GOWNS

In the early days of the work of the mission among the Dakotas, a new prophet arose in the southwest (Tavibo), known as the Nevada prophet. The spirit of God, so to speak, was working among the Indians of almost every tribe. From far distant Oregon they sent representatives to Nevada, and on their return they sent a mission to Gen. William Clark, of the Lewis and Clark Expedition, then residing at St. Louis, for his judgment on the Nevada prophet. The party spent a winter at St. Louis, where one of them died, the others returning home the next spring. In answer to their Macedonian call Rev. Fr. Peter John DeSmet, born in Belgium in 1801, who came to the United States in 1821, was sent to the Flatheads. Father DeSmet, mentioned in Chapter XIV as having charge of the education of Charles F. Picotte, left Westport, Missouri, April 30, 1840, with the annual expedition of the American Fur Company in the caravan of Capt. James Dripps on the way to Green River. At the Cheyenne village Father DeSmet was hailed as a minister of the Great Spirit, and as the chief met him, shaking his hand, he said: "Black Gown, my heart was filled with joy when I learned who you were. My lodge never received a visitor for whom I feel greater esteem. As soon as I was apprised of your coming I ordered my great kettle to be filled, and in your honor I commanded that my three fattest dogs should be served."

Father DeSmet, at a council, stated the object of his visit, and the Indians assured him they would provide for the "black gown" (priest) who might be sent to them. When he was yet a long distance off, the Flatheads sent an escort of warriors to protect him. They claimed that in a battle with the Blackfeet, in which sixty of their men were engaged five days, they killed fifty Blackfeet without losing one man; that the Great Spirit knew they were going to protect his messenger and so gave them power over their enemies.

The trappers and traders had assembled in great numbers at the Green River rendezvous, where an altar was built on an elevation and surrounded with boughs and flowers, and mass was celebrated, a great number being present. After his address the Indians deliberated nearly an hour and then said, "Black Gown, the words of thy mouth have found their way to our hearts; they will never be forgotten. Our country is open for thee. Teach us what we have to do to please the Great Spirit, and we will do according to your words."

On several occasions Father DeSmet visited the Dakota Indians, and the same cordial greeting was given him by all the tribes, regardless of their relations to each other. Their souls went out to him as the visible representative of the Great Spirit who had the power to quiet their troubled minds when in contact with them.

The story of the Shawnee prophet, an earlier Indian character, is told in a previous chapter in Part One and further information as to the christianizing of the Dakotas is related in connection with the Sioux massacre, after which the conquest of the Sioux was carried to Dakota soil.

Many of the missionary establishments that have spread and multiplied among the Sioux are the direct outgrowth of the labors of the pioneers, both men and women, herein mentioned. Alfred L. Riggs, the founder of the Santee Mission Training School at Santee, Nebraska, passed away on April 15, 1916, after forty-six years of successful work in the footsteps of his father, the noted translator.

From that inspiring hymn, "Onward, Christian Soldiers," written by S. Baring-Gould (1865), the following lines are selected:

> Like a mighty army
>   Moves the Church of God;
> Brothers, we are treading
>   Where the saints have trod;
> We are not divided,
>   All one Body we,
> One in hope and doctrine,
>   One in charity.
> Onward, Christian soldiers,
>   Marching as to war,
> With the cross of Jesus
>   Going on before!

CHAPTER XVII

THE CONQUEST OF THE SIOUX—Continued

THE RELIGION OF THE DAKOTA INDIANS—THE GHOST DANCE—THE PROPHET OF THE DELAWARES—TAVIBO—SHORT BULL—KICKING BEAR—DEATH OF SITTING BULL—THE BATTLE OF WOUNDED KNEE—END OF THE GHOST DANCE CRAZE—EVER PRESENT FEAR OF INDIANS AMONG THE PIONEERS—WOVOKA'S GOLDEN RULE—FRONTIER HARDSHIPS—THE BLIZZARD—RED RIVER FLOODS—THE RODMAN WANAMAKER EXPEDITION.

> "Thy spirit, Independence, let me share:
> Lord of the lion heart and eagle eye,
> Thy steps I follow with my bosom bare
> Nor heed the storm that howls along the sky."
> —Tobias Smollett (1721-1771), *Ode to Independence.*

"Hope springs eternal in the human breast." The Indians of America, no less than the white men of Europe, and the brown men of Asia, have had many prophets and messiahs, who have taught them in spiritual things.

Among the Indian teachers, one of the most noted was the prophet of the Delawares, who claimed to have visions in which he received instructions from the Master of Life, who taught a return to the simple life of the red man as the only avenue to Indian happiness. His followers were required to give up all they had acquired from the white men and return to the fire sticks and bows and arrows of their fathers, when it would be possible for them to organize and drive away the white men who were encroaching upon them.

The story of the Shawnee prophet has already been given in these pages.

Born during this period of excitement another Indian prophet appeared in Nevada, Tavibo, said to have been the father of the Indian messiah of 1890. He taught the resurrection of the dead and restoration of the game and the disappearance of the whites, leaving their effects and improvements to be enjoyed by the Indians.

To bring about these results it was taught that there must be obedience to the ten commandments, and in addition they must cease using intoxicating liquors and refrain from gambling and horse racing. The propaganda was carried on secretly, and it was accompanied by a dance, which was the forerunner of the ghost dance. Since 1871 there have been other messiahs, all teaching substantially the same thing, their highest hopes being centered on the return of the game, and the disappearance of the whites, when the Indian should again enter on the life enjoyed by their fathers.

When Tavibo died, in 1870, he left a son, Wovoka, then fourteen years of age, who had been reared in the land of his father, Mason Valley, Nevada, and who dreamed his dreams, and as he says when the sun died, meaning an eclipse, he went up into heaven and saw God and all of the people who died long ago, and returning from his sleep he told his people what he had seen and heard, and his fame went out to all Indian lands, and the tribes sent their wise men to see and know of him. Dakota sent its representatives and the delegates declared that each one, though of different tribes and language, heard Wovoka in his own tongue. And Wovoka told them that they must not hurt anyone or do any harm to anyone; that they must not fight and must always do right for it would give them much satisfaction; that they must not tell any lies or refuse to work for the whites or make any trouble for them; that when their friends die they must not cry. He charged them that they must not tell the white people but that the son of God had returned to the earth; that the dead were alive and there would be no more sickness, and everyone would be young again; this might be in the fall or in the spring, he could not tell, but they must dance every six weeks, every night for four nights and the fifth night till morning. Then they must bathe in the river and go home, and when they danced they must make a feast and have food that everyone might eat. And he gave them some new food and some sacred paint, and promised that he would come to them sometime.

And thus equipped the wise men of the tribes returned to their people to teach the return of the ghosts and inaugurate the ghost dance. For the ghosts were coming and they were driving before them vast herds of antelope and buffalo and other game.

One of the Indians who was present at the Mason Valley conference with Wovoka said of the meeting:

"Heap talk all the time. Indians hear all about it everywhere, Indians come from long way off to hear him. They come from east; they make signs. All Indians must dance, everywhere keep on dancing. Pretty soon Big Man come. He bring back all game, of every kind, the game being thick everywhere. All dead Indians come back and live again. They all be strong, just like young Indians and have fine time. When Old Man come this way then all Indians go to the moutains, high up away from the whites. Whites can't hurt Indians then. Then while Indians go way up high big flood come and all white people get drowned. After that water go away, then nobody but Indians everywhere, all kinds of game thick. Indians who don't dance, who do not believe this word, will grow little, just about a foot high and stay that way. Some will be turned into wood and will be burned in fire."

The returning delegates brought this new religion to the Dakota Indians in the winter of 1889 and 1890. Sitting Bull was its chief exponent at Standing Rock. Kicking Bull and Big Foot were at the Sheyenne Agency and Short Bull was the demonstrator at the Rosebud. Short Bull had visited Wovoka; he had touched the hand of the Messiah; had received from him the holy bread and the sacred paint and had listened to his words; he had received messages through him from his friends in spirit-land and had been told of their homes and their employments, and of the vast herds of buffalo and other game and had been assured that the day was soon coming when there would no longer be any whites to make them afraid. He told the Indians that they were living the sacred life; that the soldiers' guns were the only thing of which they were afraid, but these belonged to their father in heaven, and they should no longer fear the soldiers.

He said: "If the soldiers surround you four deep, three of you on whom I have placed the holy shirt, shall sing a song which I have taught you, passing around them, when someone will fall dead. The others will start to run, but their horses will sink. The riders will jump from their horses and they will sink also. Then you can do to them as you desire. Now you must know this that all of the race will be dead, there will be only 5,000 living on earth." He urged that they should dance and be prepared for the time when these things should come.

And thus they were prepared for the events of 1890. The agent at Pine Ridge was frantic with fear. He telegraphed every day for troops. In August, 1890, 2,000 Indians met for the dance near Pine Ridge Agency and refused to give it up when ordered by the agent to stop. They leveled their guns, threatening armed resistance to any interference. At the mere rumor of coming soldiers they fled to the Bad Lands, where they were joined by malcontents from other agencies. Short Bull at the Rosebud and Big Foot at the Sheyenne, also persisted in the dance.

October 9, 1890, a party of Indians under Kicking Bear left the Sheyenne Agency to visit Sitting Bull. He had invited them to visit him at his camp on the Grand River to inaugurate the ghost dance there. The dance had begun at Sheyenne River in September.

Sitting Bull's heart was bad. He had broken the pipe of peace which had hung on his cabin wall since his surrender in 1881, declaring that he wanted to fight, and that he wanted to die. He had ceased to visit the agency. As a young man he refused to live at the agencies. He had spent the summers on the plains and the winters in the Bad Lands, or mountains, or in the timber on the Mouse River. Though a medicine man rather than a warrior, he had great influence with the Indians, drawing them to him and wielding them and the malcontents of almost every tribe against the whites.

Agent James McLaughlin, of the Standing Rock Agency, visited Sitting Bull's camp to induce him to return to the agency but he failed and the dance went on. Col. William F. Cody (Buffalo Bill) was employed by the Indian office at Washington to go to his camp, in the hope that he could influence him, but without avail. Major McLaughlin, who had succeeded much better than the other agents in controlling the Indians under his charge, advised against Sitting Bull's arrest at that time, lest it should lead to an outbreak, but his arrest had been determined upon by the Indian office. It was known that he intended to join the malcontents at the Pine Ridge Agency and that he had been invited to come there for "God was about to appear." He had asked permission to go but had prepared to go without permission. So on September 14, 1890, it was determined to make the arrest without further delay. There were some forty Indian police available and two companies of military, by forced marching from Fort Yates, were placed in supporting distance.

Sitting Bull's arrest was made December 15, 1890, but the police were immediately surrounded by one hundred and fifty or more of his friends on whom he called to rescue him. Whereupon they rushed upon the police and engaged in a hand-to-hand battle. One of Sitting Bull's followers shot Lieut. Bull Head, the officer in command of the Indian police, in the side. Bull Head turned and shot Sitting Bull, who was also shot at the same time by Sergt. Red Tomahawk. Sergt. Shave Head was also shot. Catch the Bear, of Sitting Bull's party, who fired the first shot, was killed by Alone Man, one of the Indian police. There were eight of Sitting Bull's party killed, including himself and his seventeen-year-old son. The Indian police lost six killed or mortally wounded. Most of Sitting Bull's followers joined the Indians in the Bad Lands.

BATTLE OF WOUNDED KNEE

December 29, under the humane and fearless work of the military officers, most of the Indians who fled to the Bad Lands on the approach of the military had been induced to return to their agencies.

Big Foot's band and a few of Sitting Bull's Indians only remained in the field. Big Foot had agreed to surrender. He was ill with pneumonia, and the army physician had made him comfortable in his tepee. The pipe of peace hung on the center pole of his lodge. A white flag floated from the middle of his camp in token of his surrender. The women and children stood about the doors of the tepees, watching the soldiers in their camp, without thought of harm. The camps of the soldiers entirely surrounded the Indian camp. The military officers had demanded the surrender of the Indians' guns, in order to remove the temptation of another uprising, and had promised food and clothing, and transportation for their return to their respective agencies. A group of soldiers stood near the tepee of Big Foot. The Indians had been requested to come out of their tepees and deliver their arms. About twenty worthless pieces had been surrendered, while fully two hundred were known to be in their possession. A party of soldiers were searching the tepees for more arms. There was a growing feeling of anger among the Indians. Yellow Bird was circling about the camp, incessantly blowing a whistle made from an eagle bone, and urging the Indians to resist, possibly reminding them of the promise to Short Bull that someone should fall dead and the soldiers would be in their power. Presently he ceased blowing the eagle bone and threw a handful of dust into the air. At that moment Black Fox, a young Indian from the Sheyenne Agency, fired on the soldiers, who instantly responded with a volley at such close range that their guns almost touched the Indians, many of whom fell dead or wounded. Their survivors sprang to their assistance and a hand-to-hand struggle followed. Nearly all the Indians had knives, some warclubs, and many had guns hid under their blankets, prepared for just such an event. While the hand-to-hand struggle was going on about the tepee of Big Foot, the artillery opened on the Indian camp. There was the white puff of smoke, the roar of cannon, the shriek of shot and shell, the rattle of musketry, and the screams of women and children, as they fled to the prairie for safety, followed by volleys of musketry, and the dash of cavalry, cutting them down regardless of age or sex.

In but a few moments 200 Indians and sixty soldiers lay dead or wounded upon the battlefield. Big Foot lay dead in his tepee. The men were mostly killed about his skin covered tent, the women and children were nearly all killed in flight, their bodies being scattered over the prairies for a distance of two miles or more. After the battle a gentle snow fell, spreading a mantle of white over the bloody scene. Many of the Indians wounded were frozen or perished in the blizzard which followed. Two babes were found alive among the dead on the third day after the battle and were reared and educated by white officers.

The Indian dead were buried in a single trench. The Indians built a fence around the grave, smearing the posts with sacred paint from the hand of the Messiah. Among the soldier dead were Capt. George D. Wallace and thirty-one of the gallant Seventh Cavalry. Lieut. Ernest A. Garlington and Lieut. Harry L. Hawthorne were among the wounded.

The first troops arrived at Pine Ridge November 19, 1890. Gen. Nelson A. Miles was in command of the campaign. Some three thousand troops were stationed at various points in the Indian country. Upon the first approach of the troops most of the Indians fled to the Bad Lands, carrying away part of the agency herd of cattle, and destroying their own homes and the homes of those who were not in sympathy with them. Under the pacific work of General Miles and his officers, most of the Indians had been induced to return to their respective agencies, and in a few hours more, at most, it was expected the ghost dance uprising would be over without a single depredation upon the whites.

After the battle of Wounded Knee 4,000 Indians immediately took the war-path. The agency was attacked and serious loss was likely to result both to the whites and to the Indians, but wiser counsels prevailed and on January 12, 1891, the hostiles surrendered to General Miles and the ghost dance war was over. The Indians gave up their arms and returned to their agencies. Kicking Bear and Short Bull voluntarily surrendered and were sent to Camp Sheridan, until all fear of trouble was over.

There was nothing in the teachings of Wovoka that necessarily led to war. "Do right always and do no harm to any one" was the golden rule laid down by him, and it is quite equal to that of Jesus, "Do unto others as you would be done by," or the older rule of the Chinese teacher, "Do not unto others that which you would not have them do unto you." The Indians were doing no harm in their dances. True, they were expecting much and hoping for it soon, but when the spring time passed and the summer faded and the chilly blasts of autumn were again upon them and the ghosts and the game came not, their good sense would have returned and the excitement would have died out as the fires lighted under the inspiration of a former Messiah flickered and died.

Had the advice of Major McLaughlin and General Miles been accepted, or had the matter been left entirely in their hands, there would have been no bloodshed. It was the frantic appeals of the agent at Pine Ridge that brought the military. Their coming resulted in a stampede of the Indians to the Bad Lands. The foolish conduct of Yellow Bird and Black Fox brought on the wholly unpremeditated battle of Wounded Knee. They struck the match that kindled the flame of battle.

But the surrender of January 12, 1891, came very near not being the end. The Indians were quiet in their homes near the agency. Their ponies, except a few held in camp for emergency, were grazing on the buffalo-grass-covered plains near by. There was activity in the military camp. The Indian sentinels signaled their chief and the Indian camp was in turmoil. There was instant preparation for battle and for fight. "Boots and saddles" and the "assembly" sounded in the military camp and cavalry and infantry moved into place for the march. General Miles had sent a messenger to the Indians to assure them, but still they were afraid, and the rumor flew that all of the women and children were to be massacred, as those were who were at Wounded Knee. A single shot from foolish

Indian or careless soldier there, would have added another bloody page. But there was none. The troops took up their line of march and the Indian country was again without soldiers to make the red men afraid.

In the hearts of the Indian the principles taught by Wovoka live. The hope that the dead and the game may return, no longer exists, at least they are not expected in the spring, nor when the prairie chicken begins to fly, nor when the berries are ripe in autumn. The pipe of peace hangs on the cabin wall, and emblazoned on their hearts is the motto: "Do not fight. Do right always and do no harm to anyone." Hungry sometimes. But they are learning that the Great Spirit will listen to the music of the plow and the hoe and supply their wants, and they know that the sunshine and grass never fail, and that the cattle can take the place of the buffalo.

FRONTIER HARDSHIPS

The hardships of frontier days were many. There was the constant dread of Indian attack, and the knowledge that the apparently friendly Indian was bound by the regulations of his tribe; that the soldier's lodge, or warriors in council, governed. There was no certain protection unless backed by force and a will to direct it.

There was lack of food for weeks and months at a time and lack of proper clothing. There was danger from wild animals and from storms. In the Red River Valley after the grasshopper raid of 1818 the country was left barren of seed, and Selkirk sent an expedition overland to Prairie du Chien to obtain a supply at an expense of some six thousand dollars. The expedition left Prairie du Chien April 15, 1820, with three Mackinaws loaded with 200 bushels of wheat, 100 bushels of oats and 30 bushels of peas. They passed up the Mississippi River to the Minnesota, up the Minnesota to Big Stone Lake, and then by means of rollers under their boats made a portage of 1½ miles into Lake Traverse, then into the Bois de Sioux and thence into the Red River, arriving at Pembina June 3d. all of the way from Prairie du Chien by water excepting 1½ miles. Only that difference between the waters emptying into the Gulf of Mexico and those wending their way to Hudson Bay. There were five weeks in 1852 when there was uninterrupted canoe communication between the Red River and the Minnesota, and boats actually made the trip from Pembina to St. Paul.

As to the conditions that year at Pembina we have the testimony of Charles Cavileer, the collector at Pembina. There were no herds of lowing kine and no fields of waving grain. There was the trader's store at Pembina, the United States Customs Office and some seven buildings pertaining to the trading post. There were several half-breed families in the vicinity.

Cavileer and a companion were in the cock-loft of the custom house where they were confined during the flood, excepting as they got out in boats. Cavileer said: "In this loft with one companion I spent over five weeks surrounded by water over five feet deep, extending from the River O'Maris to the Minnesota Ridge. There was thirty miles of open sea. One night it blew a furious gale. The waves rolled over the roof and every moment we expected the frail building to go over, but we were saved by being in the lee of the Kittson buildings. There were seven of these arranged in an L shape made of heavy oak logs. Sometimes we went visiting, returning in our canoes the visits of the fair maidens to our bachelor quarters, and sometimes we went hunting ducks and geese by rowing around among the timber, and had much success in hunting duck eggs among the driftwood. Notwithstanding the flood, we literally feasted on the fat of the land." Cavileer insisted that he never had so much fun in his life as he had during those five weeks. Conditions had changed some, however, prior to the latest flood of 1897, when canoeing was not so pleasant a pastime in the streets of some of the Red River Valley cities. There were floods also in 1828, 1861, 1873 and 1882. Surveys have recently been made with a view to Government action toward relieving the valley from the disastrous effects of these floods, which are not as severe, however, as they were in the early days.

And there were blizzards, too, in those days. General Fremont speaks of one that came up during his explorations. The word blizzard was not used until after the war in connection with these storms. They were known as nor-westers. Rosecrans used to say "fire low, boys, give them a blizzard in the shins," when resisting the charge of the enemy. A shower of shot and shell might be more terrific to meet than a storm driving particles of ice at forty to sixty miles an hour, as the blizzard does, but the blizzard is bad enough.

Fortunately these storms were not frequent and are in a great measure disappearing before the development of the country, even though callow youths and tenderfeet are inclined to give the name to every winter storm. There was a blizzard which prevailed for three days in February, 1866. In December, 1867, there was another. Hon. Donald Stevenson had forty-five wagons drawn by oxen loaded with supplies for Fort Ransom. They had left St. Cloud and had reached their destination and were on their return trip. Stevenson followed them by stage. He was approaching Fort Abercrombie, or rather nearing the dinner station east of Abercrombie, when the storm came upon them. A fine mist came creeping over the prairie. They knew too well what was coming. Before they could button down the flaps on the stage the storm was upon them in all its fury. It was striking the driver and team fairly in the face, blinding them. It was with the utmost difficulty that the team could be kept facing the storm. Every few moments one from the stage would be obliged to get out and help remove the icicles which were closing the eyes of the driver. A building could not have been distinguished five feet ahead of the team or on either side of it. The beaten road was hard and by instinct the horses sprang back to that when their feet touched the soft snow. Finally the team stopped and refused to go any further. They were at the door of the dinner station. It was the third day before Mr. Stevenson was able to reach his train. Twenty-one of his oxen had perished. Several of the wagons were literally buried and five of them were left until spring. Several of the men had been fifty hours in the storm without food. On the way to the train Stevenson found two men from a Fort Ransom dog train carrying the mail, sitting against a tree, where they had taken refuge, frozen to death. A third was found unconscious in the snow. He was taken to the station and his life was saved, but not his fingers and toes. When Stevenson undertook to relieve the dogs on their sledge one of them in his frenzy sprang at his throat. There was another fearful blizzard in 1873. For three days there was no communication between St. Paul and Minneapolis. Not a soul passed between the two places. There were no telephones then and the telegraph wires were down and the wagon roads and railways were blockaded. Scores of people returning from market perished in the western part of Minnesota, some within ten rods of their homes, which they were unable to locate.

GRASSHOPPERS AND MOSQUITOES

In the Selkirk Colony in 1818, "in waves of silver drifting on to harvest" apparently, rolled the grain. But one bright day the sun was suddenly darkened, a cloud resting over the land, but it soon settled down and proved to be caused by myriads of grasshoppers. They completely destroyed every green thing. The trees were stripped of their leaves and the branches of the green bark. The fields were as barren of vegetation as though swept by flame. Along the water's edge by the river the grasshoppers lay in rows, where swept by the waves, from four to nine inches in depth. The stench from them was sickening. The next year they again appeared in increased numbers, having been hatched on the ground. Seventeen years prior to this time they had appeared in even greater numbers, as recorded by Captain Henry, then interested in trading at Pembina.

They visited the Missouri Slope in 1858 and 1873. In the Red River Valley in 1873 they drifted on the railroad track and were crushed on the rails to such an extent that it was necessary to sand the track before the trains could move.

The mosquitoes were almost unbearable in the timber and the valleys. Maj. Samuel Woods speaks of them, and of the terrific thunder storms and the condition of the prairies, in his report of his expedition to the Red River Valley.

His expedition left Fort Snelling June 6th, and arrived at Pembina August 1, 1849. They left Pembina on their return trip August 26th, and reached Fort Snelling September 18, 1849. They were fifty-seven days going up and twenty-three returning. It rained much of the time on the way up, and on their arrival at Pembina there was a rise of twenty feet and the river was out of its banks. The teams mired on the open prairie, and though they waited nearly four weeks at Pembina they were obliged to give up on account of the roads a contemplated trip to the Pembina Mountains. Even the thickly matted turf of the prairie would not support the weight of the wagons.

On the rainy days they had the most terrific thunder storms, when the rain would fall in torrents and the heavens were in a flare of light and "thunder broke over us appallingly," wrote Major Woods. They were driven from the timber by the mosquitoes, and being on the high, open prairie, "the thunder broke over us in such smashing explosions that for two hours our position was torturing beyond description. Many left their tents and stood out regardless of the pelting rain, nor was this an idle or unreasonable apprehension, for only a few days before we had the thunder bolt amongst us in its dire effects, and we knew our camp was the most probable object if there was another stray one at leisure." Only a few days before the camp had been struck by lightning and Lieutenant Nelson had been seriously injured.

THE RODMAN WANAMAKER EXPEDITION

In the fall of 1914 Dr. Joseph E. Dixon headed an expedition to carry the United States flag and the greetings of the President to the Indian nations. The expedition was organized by Rodman Wanamaker, and was accompanied by Indian Inspector James McLaughlin and Edward W. Deming, the noted artist. The speeches of President Wilson and Secretary Lane were carried by phonograph and were as follows:

President Woodrow Wilson: "The Great White Father now calls you his 'brothers,' not his 'children.' Because you have shown in your education and in your settled ways of life stanch, manly, worthy qualities of sound character, the nation is about to give you distinguished recognition through the erection of a monument in honor of the Indian people in the harbor of New York. The erection of that monument will usher in that day which Thomas Jefferson said he would rejoice to see, 'when the red men become truly one people with us, enjoying all the rights and privileges we do, and living in peace and plenty.' I rejoice to foresee that day."

Secretary Lane of the Interior Department: "I have been chosen by the Big Chief in the White House to sit up and watch, to keep the wolves as far away from you as I can. You know that I stand here as the voice and with the hand of the great man in the White House. He loves to do justice above all things. He will do justice to you."

Rodman Wanamaker, founder of the expedition: "These sacred ceremonies, begun at Fort Wadsworth, and now completed on your own Indian ground, will strengthen in your hearts the feeling of allegiance and loyalty to your country, to be eternally sealed as a covenant in the national Indian memorial, to stand forever as the pledge of a new life and peace everlasting."

Doctor Dixon spoke in person: "The flag is more than a piece of colored bunting. The red stripe in its folds is symbolized by the red blood in your veins and mine, by the red glow in the sunset, by the red in your ceremonial pipe.

"The white stripe finds a symbol in the white cloud that floats in the sky, in the white snow that drifts across the plains, in the purest thought that goes from your heart to the Great Mystery.

"The field of blue with the white stars you may see every clear night as you look into the great dome above your heads.

"It is the only flag in the world that takes the heaven and earth and man to symbolize. This makes out of it an eternal flag, and we ought to be eternally loyal to it.

"I therefore dedicate the American flag to justice, mercy and fair play to the North American Indian."

The idea of interesting the Indian in citizenship and loyalty to the flag was the prime object of the expedition. Many of the wards of the government had had no understanding previously of what the flag meant, and a large number had seldom seen it except when raised on their reservation.

In order to give the red men a deeper interest in the emblem and its significance, two flags were carried each time a tribe was visited. One of these flags was the one raised at the Fort Wadsworth services. The other was presented for the use of the tribe. The ceremonies attending this presentation were always made impressive, following as nearly as possible those held in New York.

What this flag came to mean to the Indian, after its significance had been explained to him, might be gathered from the fact that the Taos Pueblos in New

Mexico voted that the flag should be preserved with two canes which were given to the tribe by Abraham Lincoln and which are handed down from generation to generation.

Doctor Dixon explained to those he visited that the white man wished to be more friendly to the red man; that he wanted to treat him more as a brother and offer to him greater opportunities.

Then the allegiance signed by representatives of the thirty-two tribes and attested by President Taft was presented for their signatures. The chiefs and old men of the tribes were always called on to take part in the various features of the rites. The signatures were both by pen and by thumb print.

Following is the allegiance: "We, the undersigned representatives of various Indian tribes of the United States, through our presence and the part we have taken in the inauguration of this memorial to our people, renew our allegiance to the glorious flag of the United States, and offer our hearts to our country's service. We greatly appreciate the honor and privilege extended by our white brothers, who have recognized us by inviting us to participate in the ceremonies on this historical occasion.

"The Indian is fast losing his identity in the face of the great waves of Caucasian civilization which are extending to the four winds of this country, and we want fuller knowledge in order that we may take our places in the civilization which surrounds us.

"Though a conquered race; with our right hands extended in brotherly love and our left hands holding the pipe of peace, we hereby bury all past ill feelings, and proclaim abroad to all the nations of the world our firm allegiance to this nation and to the Stars and Stripes, and declare that henceforth and forever in all walks of life and every field of endeavor we shall be as brothers, striving hand in hand, and will return to our people and tell them the story of this memorial and urge upon them their continued allegiance to our common country."

The original signers of this document were: Plenty Coos, White Man Runs Him, Medicine Crown, Two Moons, Red Hawk, Edward Swan, Shoulderblade, Red Cloud, Big Mane, Drags Wolf, Little Wolf, Richard Wallace, Frank Schively, Louis Baker, Black Wolf, Wooden Leg, Milton Whiteman, Willis Rowland, John P. Young, Reuben Estes, Henry Leeds, Reginald Oshkosh, Robert Summer Yellowtail, Many Chiefs, Chapman Schanandoah, Angus P. McDonald, Tennyson Berry, Mitchell Waukean, Peter Deanoine, Deanoine, Delos K. Lonewolf and Joseph Packineau.

It is estimated that the Indian memorial which Mr. Wanamaker has started in New York Harbor will cost approximately one million dollars. The top will be a large statue of an Indian. The base will be a museum in which will be an art gallery replete with pictures of North American aborigines. Also animals of the chase, weapons and various sorts of articles used by the Indians will be placed there.

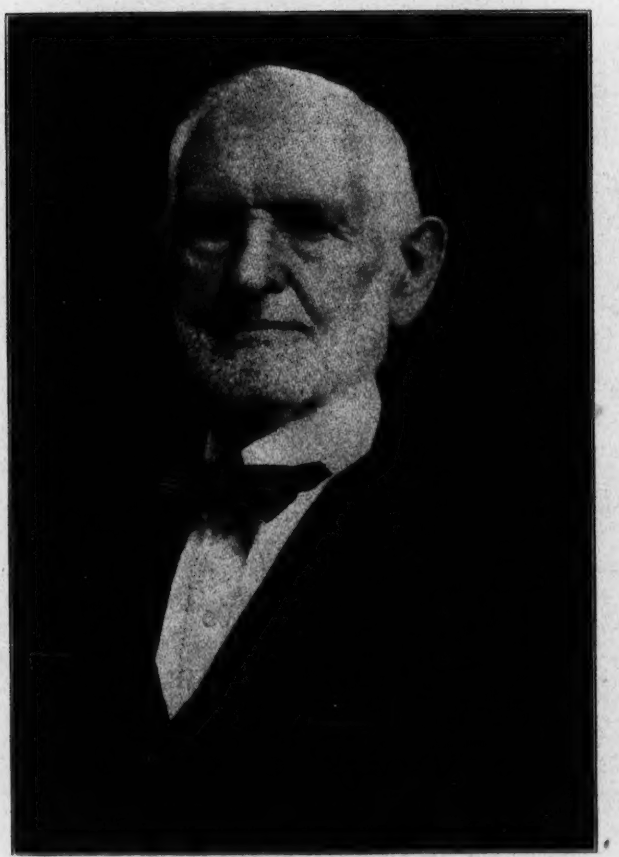
It is planned to make this the most complete museum of Indian life in existence. Authentic books on this race will be one of the features which it will embrace, as well as a history, which will be preserved there in such a manner that if any great calamity ever befell this country these records would be left intact so that anyone coming after might find them and thus learn the history of these early Americans.

Mr. Wanamaker first became interested in the North American Indian through Doctor Dixon. He explained to Doctor Dixon that he wished to do something for his country. The latter replied that he might well take up the case of the Indian. Doctor Dixon became interested in the red man seventeen years ago while out West on a reservation. He saw that the ideas he had gathered from books concerning the Indian were not true to life. This was the start of a study of them.

Doctor Dixon is high in his praise of Mr. Wanamaker, saying he "is more than a philanthropist. He is a patriot in every sense of the word. He wants to convert the heroism of yesterday into the inspiration of today."

The Iroquois Indians adopted Doctor Dixon into their tribe, naming him "Flying Sunshine," from the speed with which he traveled and the messages of good cheer which he brought to them.

The expedition gathered many Indian relics, many drawings and paintings of Indian life and by phonograph many Indian songs and speeches.



WILLIAM JAYNE
First Territorial Governor.

CHAPTER XVIII

DAKOTA TERRITORY

CREATION OF DAKOTA TERRITORY—STEPS LEADING UP TO THE LEGISLATION—ACTIVITIES OF CAPTAIN TODD AND ASSOCIATES—THE BILL REPORTED BY THE SENATE COMMITTEE ON TERRITORIES—PASSED AND SIGNED BY THE PRESIDENT—THE HOMESTEAD LAW—VETOED BY BUCHANAN—PASSED BY THE NEXT CONGRESS—APPROVED BY LINCOLN—THE ORGANIC ACT OF DAKOTA, APPROVED BY BUCHANAN.

THE DAKOTA BILLS

Bills were introduced in the Thirty-fifth Congress by Senator Graham A. Fitch of Indiana, and Alexander H. Stevens of Georgia, for the creation of Dakota Territory, but failed to receive consideration beyond reference to the proper committees.

The Thirty-sixth Congress convened December 5, 1859. A short time before its meeting, Capt. John B. S. Todd and Gen. Daniel M. Frost, who had been in Washington in the interest of Dakota Territorial Organization, made urgent appeals to the people of Dakota to hold meetings and formulate petitions for the organization of the territory.

Meetings were accordingly held at Yankton and Vermilion, November 8, 1859. Downer T. Bramble was president and Moses K. Armstrong secretary of the Yankton meeting. Gen. Daniel M. Frost of St. Louis, was present and urged a strong memorial to Congress. Capt. John B. S. Todd, Obed Foote and Thomas S. Frick were members of the committee on resolutions, George D. Fiske, James M. Stone and Capt. John B. S. Todd were appointed a committee to draft a memorial. Joseph R. Hanson, John Stanage, Henry Arend, Horace T. Bailey, Enos Stutsman, J. S. Presho, George Pike, Jr., Frank Chapell, Charles F. Picotte, Felix Le Blanc and Lytle M. Griffith were present.

The memorial formulated and adopted at this meeting was also adopted by the meeting at Vermilion,—at the house of James McHenry—of which J. D. Denton was chairman and James McHenry secretary, Doctors Caulkins and Whitmers and Samuel Mortimer were appointed a committee on resolutions. The meeting adopted the Yankton Memorial, which was signed by 428 citizens of Dakota, and was presented to Congress by Capt. John B. S. Todd at its meeting in December.

A bill was introduced in Congress early in December, 1859, by Senator Henry M. Rice, of Minnesota, but when brought up for consideration the slavery question being involved, the bill was tabled, and no further action was taken at that session. Congress adjourned June 20, 1860.

A second convention was held at Yankton, January 15, 1861, in response to the urgent appeals of Captain Todd, who was then in Washington and another memorial was forwarded bearing 478 signatures, comprising practically all of the citizens of Dakota.

A bill was pending in the House providing for the admission of a delegate to Congress under the Sioux Falls organization and for the creation of the office of surveyor-general. This bill was bitterly antagonized by Galusha A. Grow, who claimed that organization was no more entitled to respect than a vigilance committee; at the same time stating that he was in favor of the organization of a territorial form of government for Dakota and that in due time a bill would be reported for that purpose.

February 15, 1861, Senator James S. Green reported from the Senate Committee on Territories, Senate Bill 562, for the creation of the Territory of Dakota; also the bill for the creation of the Territory of Nevada. The bill was made a special order for the next day. On February 26th, it was called up by Senator Green and passed without objection. March 1st, Mr. Grow called up the bill in the House, moved the previous question, which was seconded and the bill passed without debate and without opposition. The bill was approved by President James Buchanan on March 2, 1861. Its companion bill, Nevada, was passed and approved at the same time. The Arizona and Colorado bills were passed at the same session, the four, largely through the masterly management of Galusha A. Grow, the father of the Homestead Law.

THE HOMESTEAD LAW

The agitation for the Homestead Law commenced in 1846. In the Thirty-sixth Congress it was introduced in the Senate by Senator Andrew Johnson of Tennessee, Senate Bill No. 1, and carried to a successful issue by Mr. Johnson in the Senate and Mr. Grow in the House, January 20, 1860, but was vetoed by President Buchanan, January 22, 1860, on the theory that Congress had no right to give away public property. The bill was reintroduced at the second session of the Thirty-sixth Congress, passed in the Thirty-seventh Congress and approved May 20, 1862, by President Abraham Lincoln.

Captain Todd has been mentioned frequently in previous chapters. It will be remembered that he resigned his commission in the United States army to become identified with D. M. Frost & Co., or Frost, Todd & Company, as it was for a time called, in the fur trade.

Gen. Daniel Marsh Frost, a general in the Missouri State Militia and in the Confederate army, 1861-5, was a native of New York, appointed to the military academy in 1840 and commissioned a lieutenant in the United States army, resigning in 1853 to engage in trade. He was the head of the firm bearing his name, with headquarters at St. Louis, where he died, October 29, 1900.

Next to General Frost and captain, afterwards general, John B. S. Todd, Dakota is indebted to Senator James S. Green and Galusha A. Grow for its organization as a territory.

Senator James S. Green was born in Virginia, moved to Alabama and then to Missouri, where he commenced the practice of law at Canton in that state. He was a presidential elector on the Polk and Dallas ticket in 1844 and elected to the Thirtieth and Thirty-first Congresses; was charge d'affairs to Colombia in 1853 and appointed minister to Colombia, but did not present his credentials. He was elected to the United States Senate for the term commencing March 4, 1855, and served to March 3, 1861. He died at St. Louis, January 19, 1870.

Galusha A. Grow, a representative from Pennsylvania, was a native of Connecticut, admitted to practice law in 1847, elected to the Thirty-second, Thirty-third and Thirty-fourth congresses as a free soil democrat and to the Thirty-fifth, Thirty-sixth and Thirty-seventh congresses as a republican. He was speaker of the House in 1857, and in the Thirty-seventh Congress. He was re-elected to the Fifty-third, Fifty-fourth, Fifty-fifth, Fifty-sixth and Fifty-seventh congresses, declining a renomination. He died March 31, 1907, at Scranton, Pa. The Homestead Law was the crowning achievement of his political life.

Rev. John P. Williamson, mentioned in connection with the Sioux, states that the word Dakota, in the Sioux language means friends or allies, the Dakota nation being a nation of friends; that Minnesota might be translated hazy water, not muddy water as held by some, nor many waters, as translated by others; that the Sioux name for the Missouri River was Minne-sho-she, meaning muddy water, and from the mouth of the Yellowstone to its confluence with the Mississippi, it justifies that name.

Dakota Territory, as created, extended from the Red River of the north and the western boundary of Minnesota, to the eastern boundary of Washington and Oregon. It included all of Montana and most of Idaho, embracing 350,000 square miles, containing, according to the census of 1860, a white population (including mixed bloods) of 2,376, of whom 1,606 were in Pembina County.

March 3, 1863, the Territory of Idaho was created, extending from the twenty-seventh degree of longitude west from Washington, to the eastern boundary of Washington and Oregon, and May 26, 1864, Montana was created from Idaho Territory, and at the same time the Black Hills region and the greater part of Wyoming, including the Wind River and Big Horn country, was attached to Dakota Territory. Wyoming Territory was created July 25, 1868, and a part of Dakota was later attached to Nebraska, leaving a territory of approximately 149,000 square miles.

In Minnesota territorial days, Blue Earth County embraced nearly all of South Dakota. Pembina County was directly north of Blue Earth County, taking in all of the present North Dakota, part of South Dakota, extending east to Rainy Lake and Lake Winnipegoosis, taking in about one-third of Minnesota Territory.

In 1856 Pembina County was the Seventh Legislative District in Minnesota Territory and was represented by Joseph Rolette in the Council and R. Carlisle Burdick in the House of Representatives.

Blue Earth County was in the Tenth Legislative District and was represented in the Council by Charles E. Flandrau and Parsons K. Johnson, and by Aurelius F. de la Vergue and George A. McLeod in the House of Representatives. In 1857 P. P. Humphrey was elected to the Council, Joseph R. Brown, Francis R. Baasen and O. A. Thomas to the House of Representatives. In the Seventh District Joseph Rolette was returned to the Council; Charles Grant and John B. Wilkie were elected to the House of Representatives.

In the Minnesota Constitutional Convention, the Seventh District was represented by James McFetridge, J. P. Wilson, J. Jerome, Xavier Cautell, Joseph

Rolette and Louis Wasseur. The Tenth District was represented by Joseph R. Brown, Charles E. Flandrau, Francis Baasen, William B. McMahon and J. H. Swan.

The Organic Act of Dakota is as follows:

AN ACT TO PROVIDE A TEMPORARY GOVERNMENT FOR THE TERRITORY OF DAKOTA, AND TO CREATE THE OFFICE OF SURVEYOR GENERAL THEREIN.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, namely: commencing at a point in the main channel of the Red River of the North, where the forty-ninth degree of north latitude crosses the same; thence up the main channel of the same, and along the boundary of the State of Minnesota, to Big Stone Lake; thence along the boundary line of the said State of Minnesota to the Iowa line; thence along the boundary line of the State of Iowa to the point of intersection between the Big Sioux and Missouri Rivers; thence up the Missouri River, and along the boundary line of the Territory of Nebraska, to the mouth of the Niobrara or Running Water River; thence following up the same, in the middle of the main channel thereof, to the mouth of the Keha Paha or Turtle Hill River; thence up said river to the forty-third parallel of north latitude; thence due west to the present boundary of the Territory of Washington; thence along the boundary line of Washington Territory, to the forty-ninth degree of north latitude; thence east, along said forty-ninth degree of north latitude, to the place of beginning, be, and the same is hereby, organized into a temporary government, by the name of the Territory of Dakota: *Provided,* That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries and constitute no part of the Territory of Dakota, until said tribe shall signify their assent to the President of the United States to be included within the said Territory, or to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the Government to make if this act had never passed: *Provided, further,* That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion thereof to any other Territory or State.

SEC. 2. *And be it further enacted,* That the executive power and authority in and over said Territory of Dakota, shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve all laws passed by the legislative assembly before they shall take effect; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted,* That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor, in his executive department; he shall transmit one copy of the laws, and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives and the President of the Senate, for the use of Congress; and in case of the death, removal, or resignation, or other necessary absence of the governor from the Territory, the secretary shall have, and he is hereby authorized and required, to execute and perform all the powers and duties of the governor during such vacancy or necessary absence, or until another governor shall be duly appointed to fill such vacancy.

SEC. 4. *And be it further enacted,* That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of nine members, which may be increased to thirteen, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall consist of thirteen members, which may be increased to twenty-six, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts for the election of the council and house of representatives, giving to each section of the Territory representation in the ratio of its population, (Indians excepted) as nearly as may be; and the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district for which they may be elected, respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken; and the first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and he shall, at the same time, declare the number of the members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected, having the highest number of votes in each of said council districts, for members of the council, shall be declared by the governor to be duly elected to the council; and the person or persons authorized to be elected having the greatest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled, shall be declared by the governor to be elected members of the house of representatives: *Provided,* That in case of a tie between two or more persons voted for, the governor shall order a new election, to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: *Provided,* That no one session shall exceed the term of forty days, except the first, which may be extended to sixty days, but no longer.

SEC. 5. *And be it further enacted,* That every free white male inhabitant of the United States above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office at all subsequent elections shall be such as shall be prescribed by the legislative assembly: *Provided,* That the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States.

SEC. 6. *And be it further enacted,* That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents; nor shall any law be passed impairing the rights of private property; nor shall any discrimination be made in taxing different kinds of property; but all property subject to taxation shall be in proportion to the value of the property taxed.

SEC. 7. *And be it further enacted,* That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and, in the first instance, the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

SEC. 8. *And be it further enacted,* That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

SEC. 9. *And be it further enacted,* That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of the justices of the peace, shall be as limited by law: *Provided,* That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common-law jurisdiction, and authority for redress of all wrongs committed against the Constitution or laws of the United States, or of the Territory, affecting persons or property. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive, in all such cases, the same fees which the clerks of the district courts of Nebraska Territory now receive for similar services.

SEC. 10. *And be it further enacted,* That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Nebraska. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the present Territory of Nebraska, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

SEC. 11. *And be it further enacted,* That the governor, secretary, chief justice and associate justices, attorney, and marshal, shall be nominated and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge, or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States and faithfully to discharge the duties of their respective offices; which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified, and recorded in such man[n]er and form as may be prescribed by law. The governor shall receive an annual salary of $1,500.00 as governor, and $1,000.00 as superintendent of Indian affairs; the chief justice and associate justices shall each receive an annual salary of $1,800.00; the secretary shall receive an annual salary of $1,800.00. The said salaries shall be paid quarter-yearly at the Treasury of the United States. The members of the legislative assembly shall be entitled to receive $3.00 each per day during their attendance at the session thereof, and $3.00 for every twenty miles' travel in going to and returning from the said sessions, estimated according to the nearest usually traveled route. There shall be appropriated annually the sum of $1,000.00, to be expended by the governor, to defray the contingent expenses of the Territory. There shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

SEC. 12. *And be it further enacted,* That the legislative assembly of the Territory of Dakota shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly.

SEC. 13. *And be it further enacted,* That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

SEC. 14. *And be it further enacted,* That when the land in said Territory shall be surveyed, under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in the States hereafter to be erected out of the same.

SEC. 15. *And be it further enacted,* That temporarily, and until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

SEC. 16. *And be it further enacted,* That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Dakota as elsewhere within the United States.

SEC. 17. *And be it further enacted,* That the President of the United States, by and with the advice and consent of the Senate, shall be, and he is hereby, authorized to appoint a surveyor-general for Dakota, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, compensation, and allowances for clerk hire, office rent, fuel, and incidental expenses shall be the same as those of the surveyor-general of Nebraska and Kansas, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

SEC. 18. *And be it further enacted,* That so much of the public lands of the United States in the Territory of Dakota, west of its eastern boundary and east and north of the Niobrara, or Running Water River, be formed into a land district, to be called the Yancton district, at such time as the President may direct, the land office for which shall be located at such point as the President may direct, and shall be removed from time to time to other points within said district whenever, in his opinion, it may be expedient.

SEC. 19. *And be it further enacted,* That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and receiver for said district, who shall respectively be required to reside at the site of said office, and who shall have the same powers, perform the same duties, and be entitled to the same compensation, as are or may be prescribed by law in relation to other land-offices of the United States.

SEC. 20. *And be it further enacted,* That the river in said Territory heretofore known as the "River aux Jacques," or "James River," shall hereafter be called the Dakota River.

SEC. 21. *And be it further enacted,* That, until Congress shall otherwise direct, that portion of the Territories of Utah and Washington between the forty-first and forty-third degrees of north latitude, and east of the thirty-third meridian of longitude west from Washington, shall be, and is hereby, incorporated into and made a part of the Territory of Nebraska.

APPROVED, March 2, 1861.

Attest: WM. H. SEWARD, Secretary of State.

JAMES BUCHANAN.

PART III

CHAPTER XIX

DAKOTA ORGANIZED

THE GOVERNOR AND TERRITORIAL OFFICERS—CENSUS AND POPULATION—LEGISLATIVE APPORTIONMENT—ELECTION PRECINCTS AND JUDGES OF ELECTION—THE JUDICIAL DISTRICTS AND ASSIGNMENT OF JUDGES—RESULTS OF ELECTIONS—DELEGATE TO CONGRESS—MEMBERS OF FIRST LEGISLATURE—THE FIRST LEGISLATIVE ASSEMBLY—THE GOVERNOR'S MESSAGE—LOCATION OF THE CAPITAL—OLD SETTLERS' ASSOCIATION—THE PUBLIC PRINTER—A WESTERN WIFE.

In April, 1861, President Abraham Lincoln appointed the following officers for the Territory of Dakota: Governor, William Jayne of Springfield, Ill.; secretary, John Hutchinson of Minnesota; chief justice, Philemon Bliss of Ohio; associate justices, Lorenzo Parsons Williston of Pennsylvania and Joseph L. Williams of Tennessee; district attorney, William E. Gleason of Maryland; United States marshal, William E. Shaffer of Missouri; surveyor-general, George D. Hill of Michigan. Hon. Newton Edmunds of Ypsilanti, Mich., who was appointed chief clerk in the surveyor-general's office, arrived in June, 1861, and gave the required notice that under the direction of the commissioner of the general land office, the surveyor-general's office was directed to receive preëmption declaratory statements of settlers until the opening of the local land offices, and that such statements would be received as soon as the townships were platted.

The governor and United States marshal also arrived in June. The first official act of the governor was to appoint persons to take a census; those so appointed were Henry D. Betts, Wilmot W. Brookings, Andrew J. Harlan, Obed Foote, George M. Pinney and John D. Morse, who were designated census agents, as given under "Territory Proclaimed," in Chapter XIV.

Brookings was assigned to the Sioux Falls District, Harlan to the Brule Creek settlements, Foote to the Missouri River settlements, embracing Yankton, Pinney to the Missouri River settlements, embracing Choteau Creek, Morse to the Niobrara region, and Betts to the Red River.

The population, as returned by these agents, was 2,376, of which the number of whites in the Red River District was 51 males and 28 females, 264 mixed-blood males and 260 mixed-blood females, a total of 603; but as heretofore stated, this census as to the Red River country was not accepted as correct, as the greater portion of the people were then absent on their annual buffalo hunt. The United States census of the previous year showed a population for this region of 1,606, and the census of 1850, 1,135 (correct number, 1,116). The number returned by Maj. Samuel Woods in 1849 for the Pembina region showed 177 families, 511 males and 515 females, white and half-blood families, a total of 1,026. They had 600 carts, 300 oxen, 300 work horses, 150 horses for the chase, 1,500 horned cattle, a few hogs and no sheep (31st Congress, 1st Session, H. Docs. 42 and 51). The census agents of 1861 gave the distribution of the population of the several districts as follows: Red River, 603; Brule Creek, 47; Point on the Big Sioux, 104; Elk Point, 61; Vermilion, 265; Bottom and Clay Creek, 210; Sioux Falls, 60; Yankton, 287; Bon Homme, 163; Pease and Hamilton settlements, 181; Fort Randall, 210; Yankton Agency, 76; Ponca Agency and vicinity, 129—total, 2,376. In South Dakota there were 25 mixed-bloods on the Big Sioux, 5 at Elk Point, 7 at Vermilion, 9 at Yankton, 128 at the Pease and Hamilton settlements, 47 at Yankton Agency, and 34 at the Ponca Agency, a total of 255; added to the 603 reported at Pembina, gave a mixed-blood population of 858 out of the total of 2,376. To this should be added at least 1,000 more, mostly mixed-bloods, not reported in the Pembina District.

LEGISLATIVE DISTRICTS AND APPORTIONMENT OF MEMBERS

July 29, 1861, the governor issued his proclamation dividing the territory into Council and Representative districts and apportioning the members to the several districts.

First Council District—That portion of Dakota lying between the Big Sioux and Missouri rivers, bounded on the west by the range line between ranges 50 and 51, and that portion lying west of the Red River, including the settlements at Pembina and St. Joseph, two councilmen.

Second District—All that portion bounded by the Vermilion River on the west and on the east by the range line dividing ranges 50 and 51, two councilmen.

Third District—All that portion bounded by the Vermilion River on the east and on the west by the range line dividing ranges 53 and 54, one councilman.

Fourth District—All that portion bounded on the east by the range line dividing ranges 53 and 54, and on the west by the range line dividing ranges 57 and 58, two councilmen.

Fifth District—All that portion bounded on the east by the range line dividing ranges 57 and 58 and on the west by Choteau Creek, one councilman.

Sixth District—All that portion bounded on the east by Choteau Creek and on the west by a line west of and including the Hamilton and Pease settlements and all that portion of Dakota Territory situated between the Missouri River and the Niobrara River, one councilman.

The territory was divided into eight representative districts. To the first, two representatives; to the second, one; to the third (the Pembina country), one; to the fourth, two; to the fifth, two; to the sixth, two; to the seventh, two; to the eighth, one.

FIRST ELECTION ORDERED

An election was ordered for September 16, 1861, for the election of members of the Legislature and a delegate to Congress; and election precincts were established as follows:

First Representative District—At the house of Thomas Maloney; judges of election, James Summers, William Mathews and Thomas Maloney; and at the hotel of Eli Wixon at Elk Point, judges, Sherman Clyde, William Frisbie and K. P. Romme.

Second District—At the house of William Amida; judges, George P. Waldron, Berne C. Fowler and John Keltz.

Third District—At the house of Charles LeMay, Pembina; judges, James McFetridge, Hugh Donaldson and Charles LeMay. Also at the house of Baptiste Shorette (Charrette) at St. Joseph; judges, Baptiste Shorette, Charles Bottineau, Antoine Zangran.

Fourth District—At the house of James McHenry; judges, A. J. Harlan, Ole Anderson and A. Eckles.

Fifth District—At the house of Bligh E. Wood; judges, Ole Oleson, Bligh E. Wood and Ole Bottolfson.

Sixth District (Yankton)—At the house of Frost, Todd & Co.; judges, Moses K. Armstrong, Frank Chapell and J. S. Presho.

Seventh District—At Herrick's Hotel, Bon Homme; judges, Daniel Gifford, George M. Pinney and George Falkenberg.

Eighth District—At the house of F. O. Pease; judges, J. V. Hamilton, Benjamin Estes and Joseph Ellis. And also at Gregory's store; judges, Charles Young, James Tufts and Thomas Small.

Any free white male inhabitant of the United States, residing in the territory March 2, 1861, when the organic act was passed, and in the precinct at the date of this proclamation (July 29, 1861), who was a citizen of the United States or had declared his intentions to become such, was entitled to vote upon subscribing to an oath of allegiance.

THE JUDICIAL DISTRICTS

July 30, 1861, the governor issued a proclamation establishing judicial districts as follows: All that portion of Dakota Territory bounded by the east line of the territory and on the west by the range line dividing ranges 53 and 54, was constituted the First Judicial District. All that portion of the territory bounded on the east by the range line between ranges 53 and 54 (dividing Yankton and Day counties) and on the west by the line dividing ranges 57 and 58 (dividing Yankton and Bon Homme counties) constituted the Second Judicial District. All that portion west of the line dividing ranges 57 and 58 constituted the Third Judicial District.

Judge Lorenzo P. Williston was assigned to the First Judicial District, and the place of holding court fixed at Vermilion. Judge Philemon Bliss was assigned to the Second District and the place of holding court fixed at Yankton. Judge Joseph L. Williams was assigned to the Third District, and the place of holding court fixed at Bon Homme.

The first term of the court was to be held in the First District on the first Monday in August, 1861, and thereafter on the first Mondays in May and September of each year.

In the Second and Third districts on the third Monday in August and thereafter annually on the first Mondays of May and September.

It will be noticed that no provision was made for courts in the Red River settlements, and when a land office was established it was opened at Vermilion, and the first filings on North Dakota lands were made at that office.

PERSONNEL OF OFFICERS

Governor Jayne was a townsman and friend of President Lincoln. He served with credit two years. At the election in 1862 he was awarded a certificate of election as delegate to the Thirty-eighth Congress, and served from March 4, 1863, to June 17, 1864, when he was succeeded by John B. S. Todd, who had contested his election, when he returned to Springfield, Ill. Todd was elected delegate at the first election, as a non-partisan, although known to be a democrat.

The judges were all men learned in the law, and of excellent character. Judge Bliss resigned in 1864 and went to St. Joseph, Mo., and engaged in the practice of law. Judge Williston was transferred to Montana in 1863 and was succeeded by Ara Bartlett of Illinois. Judge Williams returned to Tennessee on the expiration of his term.

The Town of Williston, N. D., was named in honor of Judge Williston, who was greatly admired by Mr. James J. Hill, the great railroad builder.

John Hutchinson came from Kansas, although credited to Minnesota, where he had previously resided. He was appointed on the recommendation of Secretary of State William H. Seward. He brought his family to Yankton and became a bona fide citizen of Dakota. Hutchinson County, S. D., was named in his honor. He served four years as secretary of the territory and was reappointed but resigned to accept the consulship to Leghorn, Italy. After his return he engaged in the practice of law at Chicago.

Surveyor-General Hill is credited with the first practical and persistent efforts to induce immigration to Dakota Territory, and with having secured the settlement of the first considerable Dakota colony, known as the New York Colony. He served four years and returned to Ann Arbor, Mich.

United States Attorney-General Gleason served four years and was then appointed associate justice in place of Judge Williams, and later consul to Bordeaux, France, returning to Baltimore on his retirement from that position. United States Marshal Shaffer served about a year and resigned, desiring to enter the military service, being an ardent Union man. He returned to Missouri.

Gleason and Shaffer were bachelors; only Hutchinson brought his family to the territory. The governor and chief justice brought their wives as far as Sioux City, where they remained, owing to lack of suitable accommodations at Yankton, the temporary seat of government. Some of the officers joined the Todd faction and opposed the early-developed aspirations of the governor to succeed General Todd in Congress.

The Sioux Falls element had taken the lead in the movement for territorial organization, overlooking the importance of an organic act. They elected a delegate to Congress and sought his recognition. They were defeated by the Yankton movement and the strong influence brought to bear by the masters of politics from Missouri. Todd controlled the situation from the very beginning. The misfortune of 1862, through Indian hostilities, ended for a time the early aspirations of Sioux Falls to become the capital.

THE INITIAL POLITICAL MOVEMENT

The first political convention was held at Vermilion, June 1, 1861. George M. Pinney was chairman and A. W. Puett, secretary.

The resolutions declared allegiance to the Union, the Constitution and the laws, and pledged cordial support to the governor and secretary, favored the passage of the Homestead Law and the policies of the administration, and denounced monopolies of every nature, especially in connection with the public lands. The convention nominated A. J. Bell for delegate to Congress.

It was claimed that all present except Pinney were from Vermilion and that he was not a voter under the organic act, having come from Minnesota in May after the creation of the territory in March.

Mr. Charles P. Booge, trader at the Yankton Agency, was nominated for delegate to Congress at Bon Homme early in September.

Capt. John B. S. Todd was a candidate for delegate regardless of party, desiring to keep away from partisan issues, believing that if elected he could accomplish most without antagonizing either party. The location of the capital at Yankton was known to be in line with his personal interests.

Mass conventions were held, generally of a non-partisan character, for the nomination of members of the Legislature.

The Yankton convention was called for August 24th, by John Stanage, James M. Stone, Downer T. Bramble, William Miner, William Thompson, Frank Chapell, Enos Stutsman, D. Fisher, Moses K. Armstrong and J. D. Morse. Dr. Justus Townsend was president and J. D. Morse, secretary. Moses K. Armstrong and John Stanage were nominated by acclamation for representatives and Enos Stutsman and Downer T. Bramble for the council. Moses K. Armstrong, James M. Stone, J. R. Hanson and James M. Allen were appointed a committee on resolutions.

The resolutions endorsed the war policy of the administration in all of its endeavors to put down the rebellion and preserve the Constitution and the Union of States; they expressed appreciation of the act of Congress in granting Dakota self-government, and pledged support of the officers of the territory in their efforts to preserve peace; they urged economy of time and money in the Legislature, prompt action and an early adjournment, and instructed the nominees to that end. They also favored a James River ferry charter and the election of Todd to Congress. All of the nominees being democrats, there was some dissatisfaction. Stone and Hanson published a protest against the use of their names on the Resolution Committee without their knowledge or consent, and pledged their utmost exertions for the defeat of the ticket. An opposition ticket was put in the field with J. B. Greenway and William Thompson for the council and James M. Stone and Otis B. Wheeler for representatives, but the regulars were duly elected.

DELEGATE TO CONGRESS

The result of the election for delegate to Congress was as follows: Total vote cast, 585; John B. S. Todd, 397; A. J. Bell, 78; Charles P. Booge, 109; C. Booge, 1. Mr. Todd having received the highest number of votes, was elected for the term ending March 3, 1863, taking his seat December 1, 1861.

The vote cast in the Pembina precinct was 15 and in the St. Joseph precinct 171, all for Todd for delegate to Congress.

Those elected to the council were: First District—Wilmot W. Brookings, Sioux Falls, and Austin Cole, Sioux Point (James McFetridge, Pembina, received 173 votes and Brookings got but 84, and filed notice of contest; not received, however, until after Brookings was sworn in). Second District—Henry D. Betts and John W. Boyle of Vermilion. Third District—Jacob Deuel, west of Vermilion River. Fourth District—Enos Stutsman and Downer T. Bramble, Yankton. Fifth District—John H. Shober, Bon Homme. Sixth District—J. Shaw Gregory, Mixville or Fort Randall.

House of Representatives: First District—John C. McBride, Elk Point, and Christopher Maloney of Sioux Point. Second District—George P. Waldron of Sioux Falls. Third District—Hugh Donaldson, Pembina. Fourth District—Lyman Burgess and A. W. Puett of East Vermilion. Fifth District—Bligh E. Wood and Jacob A. Jacobson, West Vermilion. Sixth District—Moses K. Armstrong, Yankton, and John Stanage, James River crossing. Seventh District—George M. Pinney and Reuben Wallace, Bon Homme. Eighth District—John L. Tiernon, Fort Randall.

The failure to recognize the vote cast for McFetridge left the settlements in the northern part of the territory without representation in the council, although actually having nearly one-half of the population in the whole territory.

THE FIRST LEGISLATIVE ASSEMBLY

The first legislative assembly convened in Yankton, March 17th and continued until May 15, 1862. At the temporary organization of the council, Enos Stutsman was elected president, but on the permanent organization John H. Shober was elected in his stead. The members were sworn in by Judge Bliss. Prayer was offered by Rev. S. W. Ingham, Methodist clergyman of Vermilion, who was elected chaplain. James Tufts of Mixville was elected secretary; William R. Goodfellow, of Elk Point, messenger, and Charles F. Picotte, Yankton, sergeant-at-arms.

The members of the House of Representatives were sworn in by Judge Bliss, prayer was offered by Rev. D. D. Metcalf of Bon Homme. George M. Pinney of Bon Homme was elected speaker; Joseph R. Hanson, chief clerk; James Allen of Sioux Falls, assistant clerk; Daniel Gifford, Bon Homme, enrolling clerk; James Summers, Sioux Falls, sergeant-at-arms; Ole Anderson, East Vermilion, fireman; A. B. Smith, Tower Butte, messenger, and Rev. D. D. Metcalf, Bon Homme, chaplain.

George W. Lamson, private secretary, read the message of the governor at the meeting on the second day.

THE GOVERNOR'S MESSAGE

The governor called attention to the vast area of the territory as then organized, extending from the 97th to the 113th degrees of longitude, embracing an area greater in extent than all of New England combined with New York, Pennsylvania, Ohio, Illinois and Missouri, including the vast basins and mountain ranges, and waters flowing southward into the Gulf of Mexico and northward into Hudson Bay. He spoke of its excellence of soil and climate, of its capacity for raising numerous herds of cattle and the production of wheat and other agricultural products, and prophesied that the great wheat-growing belts of this continent would be developed in the valleys of the Red River and Saskatchewan, and that before a generation passed more than a million people would be found residing in the Missouri Valley alone; that the Pacific Railroad would be completed, connecting the two oceans with iron bands, and the trade of India and Japan would be found passing through Dakota on its way to the Atlantic, and that towns and cities would spring up along the great highways of traffic. He spoke of the mineral wealth to be developed in the Black Hills and Wind River region, and of the vast resources of coal. He urged the importance of schools and of military preparedness for protection from a savage foe. He denounced slavery, which had caused trouble in other territories, in most vigorous terms, and urged laws forever prohibiting involuntary servitude excepting for crime; and that they declare by legislative enactment that labor shall be honored, respected and rewarded, leaving no room for a privileged class spurning labor and the laborer—a class exalted above common sympathies and cares, sacred against vulgar necessities and scorning occupation.

He warned against bank men and bank charters and the evils of a pernicious paper currency. He urged a stringent election law, and suggested memorials to Congress for military roads, a geological survey and in favor of a Pacific Railroad and a Homestead Law.

He reviewed the progress of the Civil war and congratulated the territory on its ready response to the call for volunteers to garrison Fort Randall, thus relieving the regular army for duty in the field.

PARTIAL JUSTICE TO PEMBINA

The contest of McFetridge for a seat in the council received no attention, on the theory that the Pembina region belonged to the Chippewa Indians; therefore, the Legislature memorialized Congress for a treaty to extinguish the Indian title, and passed a bill giving that region one councilman and two representatives in the next Legislature.

LOCATION OF THE CAPITAL

Yankton and Vermilion were contestants for the capital location, with Sioux Falls a dark horse in the race. The contest lasted twenty days with varying shades and was finally settled in favor of Yankton; Vermilion got the university and Bon Homme the penitentiary as a result of the manipulations; and George M. Pinney, who was the uncertain element in the battle, resigned his position as speaker and was succeeded by John L. Tiernon. As an incident of the contest Lieut. Frederick Ploghoff of the Dakota Cavalry, in command of twenty men, appeared in the hall of the House of Representatives and took a position by the side of the speaker. A committee of investigation was appointed and a demand for an explanation filed with the governor, who replied in writing that such action was taken at the verbal and written request of the speaker of the

House of Representatives, claiming that from threats and representations received from reliable sources he feared the business of the House would be interrupted by violence and he called upon the governor for a force to protect the House in the lawful pursuit of its duties. The indignation of the House resulted in the speaker's resignation and John L. Tiernon was elected in his stead.

The session of the Legislature passed civil, criminal, judicial and probate codes and other wholesome laws and defined the boundaries of Clay, Cole (now Union), Bon Homme, Charles Mix, Brughier (now Buffalo), Jayne, Hutchinson, Lincoln, Minnehaha, Brookings, Todd and Gregory counties, in the southern part of the territory, and Stevens, Cheyenne and Kittson counties in the northern part.

The Old Settlers' Association was chartered during this session of the Legislature, with J. B. S. Todd, J. S. Gregory, James Tufts, W. W. Brookings, E. Stutsman, J. H. Shober, Reuben Wallace, D. Gifford, E. Gifford, N. McDonald, C. F. Picotte, John Stanage, J. B. Amidon, G. P. Waldron, B. M. Smith, A. C. Van Meter, J. Deuel, J. R. Hanson, A. G. Fuller, D. T. Bramble, M. K. Armstrong, J. M. Allen, Austin Cole, F. Carman, J. Wherry, H. C. Ash, John L. Tiernon, J. M. Stone, W. P. Lyman, W. H. Granger, C. W. Cooper, R. M. Johnson, Norman W. Kittson, L. M. Griffith, F. J. DeWitt, J. C. McBride, Christopher Maloney, H. S. Donaldson, James McFetridge, William Mathews, M. Ryan, John McClellan, J. B. LaPlant, A. Mason, Peter Arpin, John Brouillard, W. W. Benedict, Ole Bottolfson, Ole Anderson, C. Lawson, A. B. Smith, George Brown, Moses Herrick, J. McCase, John Lefevre, Felix Leblanc, George Bourret, H. Bradley, Joseph Chattelion and A. W. Puett, charter members.

THE PUBLIC PRINTER

Josiah Trask having been appointed public printer by the secretary of the territory, John Hutchinson, George W. Kingsbury arrived at Yankton on March 17, 1862, to assist in the legislative printing, expecting to remain during the legislative session only, but from that day to this (October, 1916) has remained, during fifty-four years, becoming identified with every feature of "Dakota History." In 1915 he contributed two volumes of "Dakota History," published by The S. J. Clarke Publishing Company, Chicago, which will prove of value as long as time shall last. He came from Lawrence, Kans., by stage from St. Joseph, Mo. The Dakotian at Yankton was the first newspaper established after the passage of the organic act, and was published by the Dakota Printing Company. Frank M. Ziebach and William Freney, members of the company, had been engaged in the publication of the Sioux City Register. During the session of the first Legislature a mock legislature was opened, with Frank M. Ziebach governor, and this afforded the leading and most attractive means of entertainment during the legislative session. The Press was later established, and in time consolidated with the Dakotian under the management of George W. Kingsbury. Ziebach later established the Scotland Citizen, one of the ablest papers in the territory.

The first Legislature did its whole duty and deserves the highest praise. Even at that early date the wives, sisters and daughters of the pioneers had taken their place among the elements working for present and future good.

The following tribute to the western wife, published in the National Magazine for February, 1905, deserves a place in these pages:

A WESTERN WIFE

By Will Chamberlain

Jefferson, South Dakota

She walked behind the lagging mules
 That drew the breaker thro' the soil;
Hers were the early-rising rules,
 Hers were the eves of wifely toil.

The smitten prairie blossom'd fair,
 The sod home faded from the scene;
Firm gables met the whisp'ring air,
 Deep porches lent repose serene.

But with'ring brow and snowy tress
 Bespeak the early days of strife;
And there's the deeper-wrought impress—
 The untold pathos of the wife.

O western mother! in thy praise
 No artist paints nor poet sings,
But from thy rosary of days
 God's angels shape immortal wings!

DAKOTA INDIAN AFFAIRS

The following information relative to Indian agencies was furnished for this history by the Indian office:

Section 2 of the Act of June 30, 1834, entitled "An Act to provide for the organization of the Department of Indian Affairs (4 Stat. L., 235)" provided "and be it further enacted, That there shall be a superintendency of Indian Affairs for all the Indian country not within the bounds of any state or territory west of the Mississippi River, the superintendent of which shall reside at St. Louis, * * *" This superintendency seems to be known, in the reports, as the "Central Superintendency," at that time under the Department of War.

The Act of March 3, 1847 (9 Stat. L., 203), authorizes the secretary of war to establish each superintendency, agency and sub-agency either by tribes or geographical boundaries.

Section 5 of the Act of March 3, 1849 (9 Stat. L., 395), transferred the office of the commissioner of Indian Affairs from the jurisdiction of the secretary of war to that of the secretary of the interior.

The Yankton Sioux Reservation, located in the extreme southern part of Dakota Territory, consisting of 400,000 acres, 2,000 Indians, was created by treaty of 1858 (11 Stat. L., 743).

The Ponca Reservation, consisting of 576,000 acres, 735 Indians, was created by the "Ponca Treaty" of March 12, 1858 (12 Stat. L., 997).

The Fort Berthold Reservation, consisting of 8,640,000 acres, having supervision over the Arikara, Gros Ventre and Mandan tribes, was established by unratified agreements of September 17, 1851, and July 27, 1866, and executive order of April 12, 1870.

The Lake Traverse (Sisseton) Reservation, composed of 1,241,600 acres, 1,496 Sioux Indians of Sisseton and Wahpeton bands, was established by treaty of February 19, 1867 (15 Stat. L., 505).

The Devil's Lake Reservation, composed of 345,600 acres, 720 Sisseton, Wahpeton and Cuthead bands of Sioux Indians, was established by treaty of February 19, 1867 (idem).

The General Sioux Reservation, comprising the following agencies, in all 25,000,000 acres, in charge of Brule, Ogallah, Miniconjou, Lower Yanctonai, Oncpapa, Blackfeet, Cuthead, Two Kettle, Sans Arc and Santee bands of Sioux Indians, was established by treaty of April 29, 1868 (15 Stat. L., 635).

Grand River Agency, 6,000 Indians.

Cheyenne River Agency, 5,000 Indians.

Whetstone Agency, 5,000 Indians.

Red Cloud Agency, Wyoming (temporarily on North Platte River when report of 1872 was made), 7,000 Indians.

Crow Creek (Upper Missouri) Agency, 3,000 Indians.

The Act of March 2, 1861 (12 Stat. L., 239-240), organized the Territory of Dakota and prescribed the duties of the office of the governor, and, among other things, said:

"* * * he shall perform the duties and receive the emoluments of superintendent of Indian Affairs * * *"

Section 6 of the Appropriation Act of July 15, 1870 (16 Stat. L., 360-361), provided:

"And be it further enacted, That the President be, and he is hereby authorized, to discontinue any one or more of the Indian superintendencies, and to require the Indian agents of such superintendencies to report directly to the Commissioner of Indian Affairs."

Presumably under this authority the Dakota superintendency was discontinued in 1870 and the agencies named above appear thereafter as "Independent Agencies."

The same authority gives the names of Indian agents and traders in Dakota Territory in 1872 as follows:

INDIAN AGENCIES AND AGENTS IN DAKOTA TERRITORY, 1872

Sisseton Agency, M. N. Adams.
Devil's Lake Agency, W. H. Forbes.
Grand River Agency, J. C. O'Connor.
Cheyenne River Agency, T. M. Kones.
Whetstone Agency, D. R. Risley.
Upper Missouri Agency, H. F. Livingston.
Fort Berthold Agency, J. E. Tappan.
Yankton Agency, T. G. Gassman.
Ponca Agency, H. E. Gregory.

INDIAN TRADERS IN DAKOTA TERRITORY, 1872

E. H. Durfee and C. K. Peck, Fort Berthold Agency.
E. H. Durfee and C. K. Peck, Grand River Agency.

E. H. Durfee and C. K. Peck, Cheyenne Agency.

Thomas G. Cowgill, Mouth of White River.

Franklin J. DeWitt, Fort Thompson Agency (Crow Creek), at or near the site of old Fort Lookout, and at or near the mouth of White Earth River, Dakota.

George W. Howe, Ponca Agency.

Downer T. Bramble and William Miner, Yankton Sioux Agency, opposite Fort Randall, known as White Swan.

James Fitzsimmons and Andrew J. Miller, Republican County, Dakota.

Downer T. Bramble and William Miner, Yankton Agency.

Joseph Bissonette, Sr., Whetstone Agency.

George W. Howe, Ponca Agency.

Francis D. Yates, Whetstone Agency.

Thomas G. Cowgill, Cheyenne Agency.

Fort Thompson was named for Clark W. Thompson, of La Crosse, Wis., builder of the Southern Minnesota Railroad from La Crosse to Wells, and Mankato, Minn., and superintendent of Indian Affairs on the Upper Missouri in 1862.

CHAPTER XX

DAKOTA IN THE CIVIL AND INDIAN WARS

COMPANIES A AND B, DAKOTA CAVALRY—THE TERRITORIAL MILITIA ORGANIZED—OPERATIONS IN CONNECTION WITH THE INDIAN UPRISING OF 1862—SIBLEY'S EXPEDITION OF 1863—BATTLES OF BIG MOUND, BUFFALO LAKE AND STONY LAKE—DEATH OF DOCTOR WEISER, LIEUTENANT FREEMAN AND LIEUTENANT BEEVER—BATTLE OF THE MACKINAW—SULLY'S EXPEDITION OF 1863—BATTLE OF WHITE STONE HILLS—SULLY'S EXPEDITION OF 1864—BATTLE AT APPLE CREEK—LOCATION AND BATTLE OF KILLDEER MOUNTAIN—BATTLE OF THE LITTLE MISSOURI OR "WHERE THE HILLS LOOK AT EACH OTHER"—SULLY AT BRASSEAU'S POST ON THE YELLOWSTONE—SITE OF FORT BUFORD SELECTED—FORTS STEVENSON, SULLY AND WADSWORTH—FISK'S EXPEDITION—THE BATTLE OF RED BUTTES—THE WHITE WOMAN CAPTIVE—THE MASSACRE NEAR FORT PHIL KEARNEY—THE GREAT SIOUX RESERVATION.

The governor of Dakota having been authorized to raise two companies of cavalry for patrol and garrison duty, recruiting stations were established at Yankton, Vermilion and Bon Homme. J. Kendrick Fowler was appointed recruiting officer at Yankton, Nelson Miner at Vermilion and James M. Allen at Bon Homme; and Company A was mustered into the United States service in April, 1862, with Nelson Miner, captain; J. Kendrick Fowler, first lieutenant; and Frederick Ploghoff, second lieutenant. The non-commissioned officers were A. M. English, first sergeant; Patrick Conway, E. K. Wilson, F. P. Hobler, William Neuman, Ben F. Estes, J. B. Watson and Horace J. Austin, sergeants; George Falkenberg, David Benjamin, Joseph Ellis, William Young, C. H. Stager, C. H. Brured, Amos Shaw and Adolph Mauxsch corporals; A. Hanson and E. Wilkins, buglers; A. Jones, farrier, and Timothy Pringle, blacksmith.

Privates: M. Anderson, J. Allen, R. Alderson, C. Andrews, B. Bellows, W. W. Benedict, Robert Burkhart, John Betz, John Bradley, John Bell, N. Cusick, D. Campbell, N. Ellingson, J. Floeder, N. Felling, J. Gray, J. Haggin, J. Johnson, C. Lewison, J. Ludwig, J. D. Morse, T. A. McLeese, A. Munson, P. Omeg, C. Olson, L. E. Phelps, H. M. Pierce, George Pike, J. Solberger, J. Tallman, T. J. Tate, B. H. Wood, J. Wells, H. Woodruff, J. Cramer, George Hoosick, H. Snow, A. Gibson, Michael Fisher, J. H. McBee, John Claude, John Collins, S. Delaney, Thomas Frick, J. O. Ford, B. F. Gray, E. Harrington, Ben Hart, J. Kinney, Charles Long, Merrill G. Lothrop, J. Markell, John McClellan, M. J. Mind, O. N. Orland, O. Olsen, J. O. Phelps, James E. Peters, R. A. Ranney, P. Sherman, J. Trumbo, A. J. Drake, T. H. Weegs, Charles Wambold, Charles Wright and W. H. Bellows.

Lieutenant Ploghoff resigned and James Bacon was commissioned second lieutenant in his stead. Lieutenant Fowler also resigned. The company, after receiving their equipment, was stationed for a short time at Fort Randall under Lieut. Col. John Pattee of the Seventh Iowa.

In July Lieutenant Ploghoff reached Yankton with twenty-five men. Captain Miner was at Vermilion with a part of the company; a portion under Lieutenant Bacon was stationed at Sioux Falls. Sergeant English was at Yankton with another detachment. This organization proved of great importance in the Indian war which commenced in August, 1862, as related in a previous chapter, when Sioux Falls was burned, several persons killed, and practically the whole territory abandoned excepting Yankton, Pembina, Fort Randall, Fort Abercrombie and the upper Missouri trading posts.

August 30, 1862, the governor called out the militia of the territory, and Charles P. Booge was appointed adjutant-general and Robert M. Hagaman, aid-de-camp.

General Booge appointed Moses K. Armstrong aid-de-camp; Downer T. Bramble, brigade quartermaster; Joseph R. Hanson, judge advocate, and Rev. Melancthon Hoyt, brigade chaplain.

At a meeting at Yankton August 30, 1862, to organize a company of militia, with Enos Stutsman president and George W. Kingsbury secretary, sixty men were immediately enrolled and twenty others soon added from the homestead settlers. Those enrolled were Enos Stutsman, Downer T. Bramble, William Bordeno, W. N. Collamer, David Fisher, James M. Allen, Newton Edmunds, Moses K. Armstrong, H. T. Bailey, Joseph R. Hanson, John E. Allen, George W. Kingsbury, J. C. Trask, Obed Foote, George Brown, Parker V. Brown, William P. Lyman, Charles F. Rossteuscher, Charles F. Picotte, Thomas C. Powers (afterwards U. S. senator, Montana), Augustus High, William High, Lytle M. Griffith, James Falkenberg, Nicholas Felling, Antoine Robeart, A. S. Chase, Samuel Grant, John Lawrence, William H. Werdebaugh, John Rouse, Saumel Jerome, George N. Propper, George W. Lamson, William Miner, John McGuire, Washington Reed, James M. Stone, Joseph S. Presho, Charles Noland, John Smart, William Thompson, Bligh E. Wood, James E. Witherspoon, C. S. White, A. B. Smith, Charles Wallace, O. B. Wheeler, F. M. Ziebach, D. W. Reynolds, Henry Bradley, Samuel Mortimer, John Bradley, Jacob Arend, J. M. Reed, T. J. Reed, Charles Nolan, P. H. Risling, Berne C. Fowler, J. W. Evans, James Fawcett, Henry Arend, Dr. A. Van Osdel, Rudolph Von Ins, John Stanage, Gouzaque Bourret, Hans Shager, John Lefevre, William Stevens, George Granger, Charles Philbrick, Inge Englebertson, L. Olson, Henry Strunk, Lewis Peterson, John Johnson, Peter Johnson, G. P. Greenway, Ole Peterson, John Keltz, Barre Olson, Charles McKinney, Christopher Arend, Pierre Dupuis, George Mathiesen, Richard Mathiesen, Peter Nugent, William Van Osdel, Samuel Van Osdel, J. N. Hoyt.

At the meeting for organization next day F. M. Ziebach was elected captain; David Fisher, first lieutenant, and John Lawrence, second lieutenant; B. F. Barge, first sergeant; Antoine Robeart, Samuel Mortimer and F. Wadsworth, sergeants; George W. Kingsbury, A. S. Chase, Obed Foote, H. T. Bailey, Downer T. Bramble, J. C. Trask, John Rouse and Newton Edmunds, corporals.

A stockade inclosing 400 feet square, embracing the Ash Hotel and several other buildings, was built, and here the women and children were generally provided with beds and the men were camped. The entire population of Yankton County, excepting the settlement at Gayville, which fled to Nebraska, found refuge here, and were joined by those at Bon Homme and other near-by places. Some from Vermilion and Elk Point found safety at Sioux City.

Strike-the-Ree, chief of the Yanktons, who was friendly, advised the settlers to flee, as he felt certain that he could not hold his young warriors who were disposed to join Little Crow's bands, who were on the war path; but the advice of the chief was rejected, after a meeting participated in by married men only, who decided by one majority to stay and fight if necessary. After this decision they all engaged in hurried preparations for defense.

The stockade was to have been built of sod, with a ditch in front; but by the time it was completed on the north side, attacks were made by the Indians at the ferry and several other places, one of the skirmishes lasting nearly an hour, when it was completed with logs, posts, or any other available material. A cannon was planted at the gate and the militia and Company A were active in scouting.

There was preparedness everywhere, and as the advices from Little Crow's operations were not encouraging, the Yankton Indians resumed their peaceful attitude; yet on September 6th, there were several sharp skirmishes and every settler who had not already sought safety in the stockade did so or joined with the organization for defense.

The uprising lasted forty days, and after it was over some of the settlers returned to their homes; some never returned. Sioux Falls was practically abandoned for six years.

A militia company was also organized in the Brule Creek settlement with Mahlon Gore captain; a stockade was also built and a detachment of Company A stationed there during the fall. A number of settlers lived in the stockade for some time, including the Methodist circuit preacher, Rev. J. L. Paine. Stockades were built by returning settlers at Vermilion and Elk Point. Many settlers sent their families to their former homes.

The massacre at Sioux Falls occurred September 1st. The Norwegian families at Gayville went to St. Helena, Neb., and organized, with Ole Sampson, captain.

Sergt. A. M. English was particularly active in escorting the settlers to Yankton and other places of safety. September 6th he joined the Yankton party, with his command, adding materially to the military strength. Captain Ziebach had taken great precautions and was already well prepared, as were all, and in preparedness they found safety; but the main feature of that day of anxiety and real danger was the arrival of Capt. Nelson Miner with forty men of Company A. The Yankton Indians recognized it and dissuaded the hostiles who were in force a short distance away from any further attack. This incident was the turning point, and to the brave defenders of Yankton the credit was due. Strike-the-Ree no longer urged the retirement of the white settlers.

Dr. Walter A. Burleigh raised a company of 100 Indian braves for the common defense at the Yankton Agency, where he had but recently arrived with his family. This also had great influence on the young Yankton braves and kept them from breaking away from the restraint of their chief and joining in the work of destruction commenced by Little Crow, who was even then becoming discouraged by the resistance of the Sissetons, and the rumors of preparation that reached him from every direction. The resistance met at Fort Ridgeley and New Ulm was unexpected, and he realized that the time spent in dancing and rejoicing over the first day's terrible work could never be regained.

October 7th, Governor Jayne ordered the enlistment of four military companies, trusting to future legislation, or orders from the war department, to provide for their pay and equipment. Commissions had previously been issued to officers for recruiting Company B, which was immediately organized, with William Tripp, captain; T. Elwood Clarke, first lieutenant; the latter subsequently built Fort Hutchinson at the James River crossing, which became an important element in the defense of Yankton. It was built of logs with quarters for 100 men.

Among other officers commissioned under the call of October 7th were Capt. A. J. Bell, Lieut. M. H. Somers, Capt. A. G. Fuller, Lieut. John R. Wood and Lieut. W. W. Adams.

Those enlisted were subsequently mustered into the United States service and paid from date of enlistment. Captain Fuller and Lieutenant Fisher erected a block-house on the Ash Hotel lots but it never reached full completion, Minnesota, Nebraska and Iowa troops coming to Yankton and other parts of Dakota in such force that it became unnecessary.

INDIAN CAPTIVES RESCUED

December 31, 1862, two women and six children, who had been captives among the Indians since August 22d, taken in the Minnesota massacre, reached Yankton. The persons were Mrs. Julia Wright, Mrs Laura Duley; Mrs. Wright was accompanied by her daughter, aged five years, and Mrs. Duley by her daughter, aged nine years; a niece of Mr. Duley, aged five years, and Rosana and Ella Creland, aged nine and seven years, daughters of Thomas Creland, and Lille Everett, daughter of William Everett. Mr. J. M. Duley, formerly of Sioux Falls, who moved to Lake Shetak, Minn., was killed by Little Crow's bands and these women and children made captive. Mrs. Wright was the wife of John A. Wright. The women had been forced to walk from the place where captured to the Missouri River and the children much of the way. They were first taken in the direction of Devils Lake, and then to the Missouri River near Standing Rock, where they were released through the influence of Major Galpin and his good wife, the mother of Charles F. Picotte. The major sent twenty horses and a supply of provisions for this purpose, a horse and provisions being given for each captive. Another story of the rescue of this party is that Four-Bears of the Two-Kettle band of Sioux followed the Indians for a long distance and finally secured their release for eight horses, and that it was he who turned them over to Maj. John Pattee, who sent them to Yankton. Pattee was in command of an expedition in search of captives. A large number of captives had been recovered at Camp Release after the battle at Wood Lake, mentioned in Chapter XIII.

THE SIBLEY EXPEDITION OF 1863

After the massacre of 1862, Little Crow and such warriors as cared to share his fortunes or feared to remain, went to Canada or sought refuge on the plains of Dakota. Little Crow subsequently returned and was killed. See page 203.

Gen. Henry H. Sibley, moving from Fort Ridgeley, Minn., in 1863, was sent to pursue the hostiles and further punish them for their depredations. Gen. Alfred Sully was ordered to move up the Missouri River in co-operation with him. Sibley's force numbered 4,000 men, consisting of the Sixth, Seventh and Tenth Minnesota Infantry, Third Minnesota Battery and a regiment of mounted rangers, enlisted for the purpose.

The expedition crossed the Red River at Fort Abercrombie, and followed the Sheyenne through what is now Cass, Barnes and Ransom counties on the way toward Devils Lake. The worst drought ever recorded in the history of Dakota prevailed at that time. Springs, lakes and streams usually affording an abundance of water, were dry. The earth was parched and the atmosphere almost like the blast from a furnace. Two hundred and fifty wagons carried his supplies.

THE BATTLES OF BIG MOUND, BUFFALO LAKE AND STONY LAKE

Proceeding southwesterly from Devils Lake, General Sibley encountered the Indians at Big Mound July 24, 1863, and twelve miles farther west at Dead Buffalo Lake, about thirty miles east of the Missouri River. The Indians professing a desire for peace, sought a council with the troops and during the conference Surgeon Josiah S. Weiser, of the mounted rangers, approached the council, and was immediately killed by one of the Indians, supposing him to be the commanding officer. General Sibley had previously been warned of the purpose of such a conference, the Indians intending to massacre the officers and then attack and destroy the troops. The conference was had without his knowledge. The Indians were in great numbers and General Sibley's command was divided, 1,400 infantry and 500 cavalry being with him some distance in advance. Immediately following the death of Doctor Weiser, Col. Samuel McPhail attacked the Indians with two companies of his regiment supported by Lieut. Col. William R. Marshall, Maj. George Bradley and Capt. Alonzo J. Edgerton and artillery commanded by Lieut. John C. Whipple, and also by the command of Col. William Crook and Col. John T. Averill, and the battle of Big Mound was on. Col. Robert McLaren remained in command of the camp. The Indians occupying the hills and ravines were dislodged and put to rout, leaving large quantities of supplies and camp equipage, which Colonel McLaren was detailed to destroy. General Sibley joining the command, they pursued the Indians to Dead Buffalo Lake, where a still stronger force was encountered on the 26th, when another sharp engagement was had with considerable loss to the Indians, and they again fled toward the Missouri. Here the command remained a day, recovering from the severe marching and fighting in the Big Mound battle, and for the purpose of destroying the large amount of property hidden in the reeds and about the lake, and thrown away by the Indians in their flight.

The number of Indians here engaged appeared to have been largely increased, and as the soldiers followed their trail toward the Missouri River they found and destroyed much property.

THE BATTLE OF STONY LAKE

On July 28th General Sibley again engaged the Indians at Stony Lake, their force having been largely increased by parties returning from the hunt.

General Sibley speaks of the Indian force met here, as being greater than was ever encountered in any previous conflict on the American Continent. So great were their numbers that they formed two-thirds of a circle around his lines five or six miles in extent, seeking some weak point for attack, rushing back and forth endeavoring to keep out of range of the unerring frontier riflemen who emptied many saddles, and wary of the artillery which had previously wrought much havoc with spherical case shell. The fire was rapid and incessant on both sides. Artillery and long-range rifles were a new element of warfare to them, and becoming discouraged they again fled with the troops in hot pursuit.

At Big Mound the number engaged was estimated at 1,500 to 2,000; at Buffalo Lake at 2,000, and of the 10,000 on the war path 2,000 to 2,500 were estimated by General Sibley to be then in his immediate front.

General Sibley pursued them on the 29th and that night camped on the banks of Apple Creek, a few mounted Indians being then in sight. On the 30th Colonel McPhail was sent forward with the mounted rangers and artillery to harass and if possible interrupt their flight across the Missouri River, Sibley following with the remainder of the column. The Indian women and children crossed the Missouri River the preceding night; and when Sibley arrived at the mouth of Apple Creek the hills west of the Missouri were swarming with Indians. The Indians in their flight had cached much property in the hills of Apple Creek and the Missouri, but had left much in the willows and timber.

General Sibley made his camp opposite what was then known as Burned Boat Island, from the incident of the Assinaboine being destroyed by fire on its way down the river with Maximilian's party in the spring of 1834, but now called Sibley Island. It was later granted to the City of Bismarck for park purposes by an act of Congress, but finally restored to the public domain. Here General Sibley remained two days, sending up rockets at night and firing cannon occasionally by day, hoping to get into communication with General Sully, ordered to meet him at this point.

DEATH OF LIEUTENANT BEEVER

On his approach to the Missouri River, Colonel Crook was directed to clear the woods on the flat north of Apple Creek of Indians, which was done. Lieutenant Beever, a young English gentleman acting as aid-de-camp on General Sibley's staff, was sent with an order to Colonel Crook. Taking the wrong trail, he was pierced by Indian arrows at a point about five miles below Bismarck. A private of the Sixth Minnesota, Nicholas Miller, who had taken the same trail, was also shot to death by arrows. On the next day Colonel Crook's command destroyed a large amount of property which the Indians had left on the east side of the river in their flight, including 150 wagons and carts.

BATTLE OF THE MACKINAW

Immediately after General Sibley left the Missouri on August 3d, the Indians returned and secured a large amount of property cached by them which Colonel Crook did not find; and while engaged in this work a mackinaw appeared coming down the Missouri River, having on board twenty-one persons, including several women and children. The Indians attacked them, killing all and sinking the boat. The occupants of the boat, however, killed ninety-one Indians and wounded many others before their ammunition failed. This is the story told General Sully a few weeks later by an Indian captive and, confirmed from other sources. General Sully found the wrecked boat on arriving at the Missouri with his expedition.

Further research develops the fact that the party was from the Boise, Idaho, mines, and embraced originally twenty-seven miners, two half-blood Indians, one woman and two children. They were attacked near Fort Union, and shots were exchanged with Indians at various points on the river. At Fort Berthold ten men left the boat, regarding the dangers too great to justify them in proceeding. Six of these afterward went down the river in three small boats, two in each. There were in the boat seventeen miners, two half-blood Sioux, and the woman and two children. The miners were supposed to have one hundred thousand dollars, or more, principally in gold dust, in their possession. In the battle against overwhelming odds ten of the miners were killed outright, and when the leader fell, and their ammunition was exhausted, the Indians rushed the boat and killed the others. Red Blanket, a Santee woman, whose brother was killed in the battle, and who helped kill the woman, said the Indian loss was about thirty killed. Other Indians placed it at forty-two, and still others at thirty-six killed and thirty-five wounded. Indians who went to Fort Garry and joined Little Crow, admitted taking $18,000 to $20,000 in gold, and some greenbacks from the bodies of the slain miners, which they used in buying arms and ammunition.

Red Blanket said as they stripped the bodies of the dead they found on some of them buckskin belts filled with what they supposed was spoiled powder; that some of these were ripped open and the contents thrown away. In 1876, Whistling Bear, an Arickaree Indian, brother-in-law of Fred Gerard, the trader at Fort Berthold, told him about two weeks after the battle to take a few trusty Indians with him and go down and examine the bodies and the ground where the battle occurred, and see if they could find any gold dust, showing him some, so they could recognize it; that he did as directed, and upon some of the bodies found belts filled with gold dust, and on others sacks or belts which had been cut open and the contents spilled on the ground. At the boat they found a coffee pot filled with gold dust; that they gave the gold to Gerard, who, in return, gave him a horse. Gerard admitted he received gold in due course of trade, and that he sent word to the Sioux that he would allow them full value, in trade, for it.

The stories of Red Blanket and Whistling Bear were related by them to Joseph H. Taylor, and published in a volume of frontier sketches printed and published by him.

THE LOSSES IN BATTLE

The Indian losses in these several battles were very large, the troops counting many abandoned on the field, but there is no definite information as to the number. In the Battle of Big Mound it is certain the losses were very heavy, as the fighting was frequently at short range, but in the other engagements the Indians had become more wary.

General Sibley's losses were three men killed and four wounded in battle and one John Murphy killed by lightning, besides Dr. Josiah S. Weiser (treacherously killed at the peace conference preceding the battle of Big Mound), Lieutenant Beever and Nicholas Miller at Apple Creek, and Lieutenant Ambrose Freeman of Company D, Minnesota Mounted Rangers, who was hunting a short distance from Sibley's command the first day of Sibley's engagement with the Indians, when he was pierced by Indian arrows and buried on the field with appropriate honors. His body and that of Doctor Weiser were later recovered through the efforts of Hon. Joel E. Weiser, of Valley City, a brother of Doctor Weiser.

The body of Lieutenant Beever was recovered and buried with Masonic honors in a grave resembling a rifle pit, a lodge being opened for that purpose, of which Capt. J. C. Braden was master. Ten years later Captain Braden, then grand master of the Minnesota Jurisdiction, and Grand Secretary A. T. C. Pierson, came to Bismarck to constitute the Masonic Lodge, and told the story of Lieutenant Beever's death and burial. They went to the place next day and exhumed the body and removed it to St. Paul, where it was buried and the grave cared for at the expense of General Sibley.

Lieut. Fred J. Holt Beever was an ordained clergyman of the English Church. He spent two years in New York and came to General Sibley with letters from John Jacob Astor and Hamilton Fish, and accompanied General Sibley as a volunteer aid-de-camp. On Memorial Day, May 30th each year, his grave is appropriately decorated by the soldiers of the Grand Army of the Republic.

Private Nicholas Miller was killed near where Lieutenant Beever was shot. Private John Murphy was killed by lightning, and Private John Platt was mortally wounded by an Indian whom he had previously wounded. Private Joe Campbell killed the Indian.

A son of Little Crow was found on the prairie exhausted, and taken prisoner by General Sibley on his return to Fort Ridgeley, followed by Indian scouts until he crossed the James River going east.

Among the officers who took a prominent part in this campaign were Capt. Alonzo J. Edgerton, afterward chief justice of Dakota Territory; Capt. Eugene M. Wilson and Col. John T. Averill, afterward members of Congress from Minnesota; Col. James H. Baker, commissioner of pensions; Col. William R. Marshall, governor of Minnesota, and Col. Samuel P. Jennison, secretary of state; Capt. Oscar Taylor, John Jones, Jonathan Chase, Peter B. Davy, later a North Dakota farmer, and Capt. Abraham L. Van Osdel, prominent in Dakota history. Charles Bottineau accompanied Sibley as a guide.

GENERAL SULLY'S EXPEDITION OF 1863

In connection with General Sibley's expedition another was sent from Sioux City, under the command of Gen. Alfred H. Sully. It consisted of the Sixth Iowa

Cavalry, under command of Col. David S. Wilson; the Second Nebraska Cavalry, Col. Robert W. Furnas; one company of the Seventh Iowa Cavalry under Captain Willard; three companies of the Forty-fifth Iowa Infantry and an eight-gun battery. The expedition was accompanied by seventy-five army wagons and seventy-five civil employes. They left Yankton June 26, 1863. They went by steamboat to Swan Lake, leaving that point August 21, reaching Long Lake on the 28th, where a lame Indian was found who told General Sully of Sibley's battle and that the Indians lost fifty-eight killed; that soon after Sibley left Apple Creek, the Indians attacked a mackinaw boat, mentioned elsewhere. On the 29th General Sully sent two companies of the Sixth Iowa, under the command of Capt. D. W. C. Cram, to the mouth of Apple Creek, where they found General Sibley's fortified camp, and reported that they saw the mackinaw boat mentioned by the lame Indian.

September 3d they found the remains of many buffalo recently killed and numerous Indian trails all leading toward their favorite resort. That day scouts located four hundred to six hundred lodges of Indians in a ravine, the warriors numbering at least one thousand two hundred.

Some two hundred Indians surrounded and captured General Sully's guide, Frank La Frambois. They were Indians who had fought in the Minnesota massacre, and in the battles with General Sibley, and in the attack on the mackinaw; and they told La Frambois that they did not see why the soldiers should come out to fight them unless they were tired of living and wanted to die. La Frambois escaping, ran his horse ten miles to give his commander the information he had gained as to the identity, strength and purpose of the Indians, consisting of Santees, Cutheads, Yanktonais, Uncpapas and Blackfeet. General Sully immediately galloped a force to the attack under Col. Robert W. Furnas, and the result was the

BATTLE OF WHITE STONE HILLS

The battlefield is in Dickey County, North Dakota, about fifteen miles west of Monango. Congress granted the State of North Dakota a section of land for park purposes, on which the beautiful monument shown in illustration herewith is situated.

The battle occurred September 3, 1863, the forces engaged being the Second Nebraska Cavalry, commanded by Col. Robert W. Furnas, from whom these facts were obtained through Capt. James A. Emmons; the Sixth Iowa Cavalry, commanded by Col. D. S. Wilson; and one company of the Seventh Iowa Cavalry, commanded by Captain Willard, in all about one thousand two hundred men. The aids to General Sully were Capt. J. H. Pell, Captain King and Lieutenant Levering of the First Minnesota. The number of Indians was estimated at one thousand two hundred warriors, the whole number not less than three thousand. Maj. E. A. House in command of 300 men of the Sixth Iowa had located the Indians, and his scout had reported to General Sully, who hurried Colonel Furnas to his assistance. The latter encountered them in the evening, and attacked at once from the direction opposite the approaching troops under Colonel Wilson; while Maj. Edward P. Tenbroeck, with two companies of the Sixth Iowa, charged through the center of the camp. General

Photo by Ravely

DEDICATION OF WHITESTONE HILL BATTLEFIELD MONUMENT

Sully, in personal command of one company of the Seventh Iowa and the battery, hurried to the fight. The battle became a hand-to-hand affair and on the arrival of Colonel Wilson the Indians fled, leaving their dead and wounded on the field. The dead numbered about two hundred and the wounded about the same. One hundred and fifty-eight were captured, including Big Head and thirty warriors, who surrendered to General Sully. General Sully's loss was 25 killed and 38 wounded. Lieut. Thomas J. Leavitt, Sixth Iowa, was mortally wounded. The Sixth Iowa lost 11 killed and 21 wounded; the Second Nebraska 6 killed and 13 wounded.

After the battle the troops pursued the Indians in every direction and killed and wounded many. General Sully caused fires to be built, while buglers sounded the rally to bring back the pursuing forces; scouting parties the next day found the dead and wounded in all directions, and ponies and dogs attached to travois loaded with buffalo meat and other supplies, turned loose on the prairies by the Indians. General Sully estimated that they burned from forty thousand to fifty thousand pounds of dried buffalo meat, as one item of the destruction that followed the battle. They also destroyed 300 deserted lodges and other property of great value to the Indians. It was their winter supply of meat and represented more than one thousand slaughtered buffalo. Capt. R. B. Mason, wagon master, said the fat ran in streams from the burning mass of meat. They found in the camp or on the dead, loot from the Minnesota massacre, and from General Sibley's supply trains, and from those murdered in the mackinaw at Apple Creek. The expedition returned overland to Fort Pierre and down the river to Yankton.

SULLY'S EXPEDITION OF 1864

General Sully had been selected to command an expedition in 1864 to further continue the punishment of the Indians who had been engaged in the Minnesota massacre of 1862, begun by General Sibley that year and continued by him and General Sully in 1863. The Indians were concentrated west of the Missouri River, harassing the frontier settlers by raids in Dakota, Minnesota and Nebraska, and attacking the transportation on the Missouri River, and the immigrant parties passing over territory they regarded as their own. They embraced remnants of Little Crow's bands Uncpapas, Yanktonnais, Blackfeet, Minneconjous and parts of other tribes.

General Sully's headquarters were at Sioux City. He had selected Companies A and B, Dakota Cavalry, as his body guard, assigning other troops concentrated at Yankton, for the protection of the Dakota settlements. The rendezvous of his command was at old Fort Sully near Fort Pierre. It consisted of the two companies of Dakota Cavalry, Pope's Battery, the Sixth Iowa Cavalry, Brackett's Battalion of Minnesota Cavalry, three companies of the Seventh Iowa Cavalry and one company of Nebraska Cavalry. They were joined by the Minnesota contingent under the command of Colonel Thomas, at Swan Lake; this contingent consisting of the Eighth Minnesota Mounted Infantry, six companies of the Second Minnesota Cavalry and the Third Minnesota Battery.

The expedition left Fort Sully June 24th, and reached the Missouri River July 3d, and established Fort Rice, on the west bank, a few miles above the mouth of the Cannon Ball River. This fort was built by Col. Daniel J. Dill with four companies of the Thirtieth Wisconsin which came by steamer, aided by two companies of cavalry detailed for the purpose, and it became the supply point for General Sully's expedition and for many succeeding expeditions.

On the way they encountered some Indians at the mouth of the Little Sheyenne River, when Captain Fielding of the topographical engineers was shot from ambush and mortally wounded, and one of the soldiers with him was shot. The three Indians responsible were pursued by Capt. Nelson Miner, of the Dakota Cavalry, and literally riddled with bullets and their heads brought into camp.

General Sully had had twenty years' experience in the Seminole, Mexican and border wars, and several of his officers had participated in the campaign the previous year.

July 18th he left Fort Rice, reaching Heart River in the vicinity of Dickinson, when he corralled and left an immigrant train which he had relieved from the Indians' attack, and some of his heavier supplies, guarded by a part of his force, and proceeded to the Knife River where his scouts reported a large force of Indians whom he attacked.

BATTLE OF KILLDEER MOUNTAIN

At Killdeer Mountain on the 28th General Sully encountered a force estimated by him at 1,600 lodges, representing 5,000 to 6,000 warriors. The Indians were expecting him and were ready for the fray. They were so well posted and so great was their confidence that they did not take down their lodges, but commenced their tactics of circling around his command, each time drawing nearer, until they had come within 200 yards. Then fire was opened on them and many saddles emptied, when they drew off to a greater distance pursued toward their camp by the cavalry. Now thoroughly alarmed, they were trying to save their women and children. The troops opened on them with artillery.

The attack was made with eleven companies of the Sixth Iowa Cavalry, three companies of the Seventh Iowa, two companies of Dakota Cavalry, four companies of Brackett's Minnesota Battalion, Jones's Battery, Pope's Battery, ten companies of the Eighth Minnesota Mounted Infantry, six companies of the Second Minnesota Cavalry, two sections of the Third Minnesota Battery and seventy scouts, the whole force numbering 2,200.

The attack was made in front, the Indians attempting to flank Sully on the left and then on the right and rear, the battle line extending in a circle of about three miles. They attempted counter attacks, but were repulsed at every point. Major Brackett made a furious attack, which they countered, in which many Indians were killed, their attack being repelled by the aid of Jones's battery. They made a heavy attack in the rear by a newly-arrived force, which was also dispersed by the same guns.

Sully closed upon their main camp and put them to flight, the artillery driving them out of their strong position in the ravines and on the hills, the cavalry pursuing. The battle lasted all day, but by sunset there were no Indians in sight and the troops slept on the battlefield.

Colonel McLaren was detailed next day to destroy the large amount of property the Indians had left in their flight, gathering into heaps and burning at least forty tons of dried buffalo meat packed in buffalo skins, great quantities of dried berries, tanned buffalo, elk and antelope hides, household utensils, consisting of brass and copper kettles, mess pans, etc., saddles and travois and lodge poles, which were gathered in heaps and burned. The woods were fired in order to make the destruction complete.

The loss of the Indians was very large, many dead being left on the field. Sully's loss was five killed and ten wounded.

Capt. Nelson Miner, of the Dakota Cavalry, relates that being hard pressed at one point, he dismounted and in the fight forgot all about his horse, but when the battle was over his horse was by his side, having followed him wherever he went.

LOCATION OF THE BATTLE OF BIG MOUND

From an article in The Record for June, 1896, by Capt. J. W. Burnham, who was a sergeant in the Sixth Minnesota and present at the Battle of Big Mound, July 24, 1863, the following extract is made. Captain Burnham writes from notes written at the time.

"July 24, 1863, our regiment went into camp on the shore of an alkaline lake to the right, while the Indians occupied the hills and valleys to the left. The general had every soldier to his place, but the scouts (half-breeds or friendly Indians) went out and parleyed with the Indians. Doctor Weiser, surgeon of the mounted rangers, joined one of these parties and commenced talking to the Indians in their own language, and giving them, out of his own pockets, tobacco and hard bread, when he was suddenly shot and killed, three of them firing at once and all standing close to him. Directly after this firing was heard to the rear, not explained till the next day, when it was learned that Lieutenant Freeman of the rangers, G. A. Brackett, the beef contractor, now as then a well-known citizen of Minneapolis, and two Indians scouts were hunting antelope. The Indians cut them off from the command and when the volley that killed Weiser was heard they fired and mortally wounded Freeman. The party then hid in the tall rushes on the shore of a little lake till night came, when the scouts started for camp. Soon after Freeman died. When Brackett tried to reach camp he became lost and after a long tramp reached the track, but so far back that he kept on to Camp Atchison, which he reached in four days, nearly dead from hunger and fatigue, having had nothing to eat except raw frogs.

"The first movement against the Indians was by the battery, which threw shells among them, killing several. When they fell back they were charged by the rangers, followed by a large force of infantry. The rangers followed them for sixteen miles, killing many and losing some men themselves. In a charge made over a rocky ridge in plain sight of camp, the lightning struck, killing one man and horse and knocking down two more. Until their return they supposed a shell from the battery had fallen short and struck among them.

"This battle of Big Mound was a striking scene. The lonely lake, the rocky hills, the naked, yelling Indians, soon discomfited and flying, the battery of four guns all doing their best, the charging cavalry with sabers drawn, the infantry following, while over all was the darkened sky, the heavy rolling thunder and the incessant lightning with but little rain. It was a view to be remembered by a looker-on, as I was that day.

* * * * * * * * * *

"July 26. Reveille at 2:30; marched at 4 a. m. Went fourteen miles, finding Indian property all the way and scattering Indians in sight. They made a stand on the shore of a small lake, where lay the body of a buffalo so long dead that we did not need sight to be aware of its presence. We called the fight here the Battle of Dead Buffalo Lake.

"They made a stand and the artillery and cavalry drove them several miles, the infantry mostly going into camp. Some two hours later, when all seemed peaceful and serene around camp, though we could hear the boom of the cannon in the distance, a large force of Indians made a dash to cut off a party of foragers out cutting the coarse grass and reeds on the shore of the lake. This was all we had to feed our mules, as the immense herds of buffalo had eaten all the good grass.

"This attack was repulsed by a company of rangers who, more by accident than design, seemed to be on the right spot at the right time. Some fifteen Indians were killed here and in the main battle. The men cutting grass and the teamsters were terribly frightened. Supposing themselves out of danger most of them were unarmed. This was a mistake they did not again make.

"About this battle ground lay hundreds of dead buffalo more or less stripped of hides and meat, for we had come upon the Indians while in the best of their hunt. There were still so many Indians near that we could not allow our animals to graze except on one end of a rope with a man at the other end, and the best grazing was very poor. All the forage obtainable was of the kind that grew upon the lake shore.

"July 27. We made a long march of twenty-three miles, passing over battle ground of previous days, finding large quantities of Indian property, like axes, hoes and trinkets, besides tons of meat and hides, tent poles and tents. A captured squaw reports large reinforcements to the Indians. We camped at night on the stony shore of a sweet water lake near which we fought them next day and called the Battle of Stony Lake.

"July 28. Reveille at 3; started at 5 A. M. The Tenth in the advance. When the command was in motion, and our regiment about half a mile out, passing over a ridge, a great force of mounted Indians dashed upon us. At once Whipple, of the battery, with two guns opened on them with shells, and our regiment was deployed right and left from the head of the column, the men about far enough apart to touch fingers when their arms were extended. The Indians were in great force, variously estimated from one thousand five hundred to three thousand, and all mounted. They came close up to the line and nearly every man, as he put on his bayonet without waiting for orders, thought they were going over us. I thought so at any rate, but they recoiled. We got one or two shots apiece at them, when they went around us and attacked the flanks, where another regiment repulsed them. They fell back and attacked the rear, where another regiment and Captain Jones and two guns of the battery again beat them off. They then returned to the front. As we lay in the grass in the still morning air we could hear the sonorous voices of their leaders urging another charge. But they came not. After waiting two hours for them we marched on all day, keeping the order of formation to resist another attack. We found one Indian asleep and captured him and his pony. He was dressed in fighting costume of a Dacotah warrior: a breech cloth and a pair of moccasins, with a buffalo robe along for a bed. He said he was a Teton and belonged west of the Missouri. He was released with an admonition.

"It is said we killed eleven Indians in this fight, but we saw no bodies. We killed more in the previous battles. Unlike them we lost no man this day, nothing but one horse, and he was so weak that the Indian who got him was overtaken and killed before night. We camped this night on Apple Creek.

THE BATTLE AT APPLE CREEK

"July 29. Reveille at 1:30; marched at 3 A. M. We spent about three hours crossing the creek. The wagons were pulled through by men with ropes. We went about three miles, when the Missouri Valley was before us, just below the site of Bismarck, the river about eight miles off. The general expected the Indians would be unable to cross, but we could see them in crowds on the opposite bluffs. He had sent ahead the cavalry and the guns and we soon saw the latter rapidly firing. We hurried on, fatigued as we were, under a broiling sun, thinking a battle was going on, and found the cavalry had been repulsed from the thick grove by Indians shooting arrows and the artillery was shelling them out. They saw very few Indians except those across the river on the bluffs. They were flashing their mirrors in the bright sunlight in answer to the reflections doubtless visible from the glittering barrels of our Springfield rifles.

"We were marched within about a mile of the timber and two miles from the river, where we lay for three hours, when we were ordered into camp on a bench near the creek and about two miles from its mouth, where we arrived about 5 P. M., completely exhausted with hunger, thirst, fatigue and lack of sleep, having marched about twelve miles that day.

"Meanwhile the Sixth Regiment skirmished the woods, but saw few Indians. When they approached the river they found hundreds of carts and wagons, and tons of stuff that the Indians were unable to take across the river. On the bank they were hailed from the opposite shore: 'We do not want to fight the whites!' and were answered by a scout who talked with them for some time, but when the men approached the river to fill their canteens hundreds of shots were fired at them from the tall grass opposite, but the shots mostly fell short and did no injury. Today Lieutenant Beever, General Sibley's volunteer aid, was lost in some way. He was sent by the general with an order to Colonel Crooks, commanding the skirmishers in the woods. He delivered his order but did not return. A private of the Sixth is also missing. Our mules and horses are entirely exhausted and men nearly as far gone. Many of them are dropping out of the ranks to be picked up by the ambulances. During the last few days a very common sight was to see a mounted man fall behind. He would get off and lead the horse and very often he was still unable to keep up. A shot would then finish the horse, the saddle and bridle would go to the nearest wagon and the soldier go on afoot. At this camp we had grass and water, but, as before, our animals would not be safe beyond the end of a rope.

"July 30. The long roll beat twice in the night. Indians all around and shots are continually being exchanged. We could hold no ground beyond the reach of our guns. Rockets were sent up and guns fired both night and day to signalize Lieutenant Beever. With all our care the Indians ran off a few mules.

"A detachment of 700 men were sent out to skirmish through the woods again and find the missing men if possible. The cannon went with them, and while writing this in camp I hear the guns speaking out occasionally.

"We heard bad reports during the day from the river bank, and the general sent down reinforcements, but about 10 P. M. the troops all came in, having suffered no loss. They killed a few Indians and found the bodies of the missing men. Lieutenant Beever carried three revolvers and had evidently made a vigorous fight, and had been shot with three arrows. His horse had been killed with a bullet. Like most of the army he wore his hair short, and the Indians had cut around his head endeavoring to scalp him, but were unable to pull it off, so they scalped the long whiskers from one of his cheeks. The soldier, having longer hair, was scalped in the usual manner. During the night under a strong wind the Indians set the grass on fire, but a line of men with wet blankets met it and soon put it out.

"August 1. Had a bad time of it last night. Indians prowled around camp all night. Single ones were fired upon many times by the guard. About midnight a large force crawled up on the burnt ground and fired a heavy volley into the camp, shooting through many tents and killing a mule and stampeding the herd of beef cattle, which broke away, but fortunately were stopped and driven back. No men were shot, though the firing was kept up on both sides most of the night. In the reduced state of men and horses, especially the latter, all we could do at this time was to repel attack. We had already marched farther than our supply of provisions would warrant, and this day we marched twenty miles towards home. We had no sooner left the camp than the Indians took possession, and only a small force followed us. Our camp tonight has plenty of good grass and water."

LOCATION AND BATTLE OF KILLDEER MOUNTAIN

The curator of the North Dakota Historical Society in 1915 visited the Killdeer Mountain Battlefield in Dunn County and the result was published in the Fargo Forum as follows:

"Bismarck, N. Dak., August 15.—For work accomplished and results obtained the trip of H. C. Fish of the State Historical Society and S. S. Campbell of Sentinel Butte was one of the most successful this year. They were both pleased and gratified by the hearty co-operation they received from so many in Dickinson and in Manning and at Kildeer.

"The trip was unique, for after forty-six years Mr. Campbell expected to point out the place of the battle between Sully and the Sioux which occurred July 28, 1864. He had not visited the old scenes since, and the whole fight was in his mind as he saw it then. But what helped to keep the scene so vivid was the constant reading of his old diary which he kept in 1864 during the whole of the

Sully campaign. Many of the old troopers for years after the trying march wrote to Mr. Campbell and wanted to know when and where different events occurred. And, too, some of the old soldiers wanting a pension applied to Mr. Campbell to give the exact place where they were hurt. The small diary with its well fingered pages has kept the old days well in mind.

"Tuesday morning of last week the two gentlemen left for Manning on the stage and they were met at the county seat by Superintendent Melby, who was very much interested in getting a correct idea of the old days, and taken to the Killdeer. It was very fortunate that Mr. Melby took the party direct to the home of John Ross, who lives adjoining the Diamond C Ranch in the east. The father of Mrs. Ross was in the same campaign and Mr. Ross knew the family of Mr. Campbell in the old days of Minnesota. All the courtesies that could be desired were extended to Mr. Fish and Mr. Campbell in their search for the old routes.

"On Wednesday morning Mr. Ross took the party up over the hill to the Diamond C Ranch buildings and Mr. Campbell at once recognized the lay of the land, and when they went out to the south of the spring and the house he said, 'This looks just like the old Indian camp. If it is, there is a dry coulee just over there to the south.' The dry coulee was found.

"On this broad open space south of the old spring 1,600 Indian tepees were arranged. Mr. Campbell said that they camped the first night after the battle just west of the Indian camp. The thickest of the battle occurred on the ranch of John Ross, where the Indians made the last stand before their camp was taken. The camp of the second night was at the spring on the old Craig Ranch, some eight miles east of the battle grounds.

"The course of events taken from Mr. Campbell's diary is interesting. They started from Sioux City Tuesday, May 31, 1864, and gradually made their way up the Missouri to Fort Rice and then across country to the Indian stamping grounds. On July 25 the whole army of Sully corralled their extra horses and teams some place fifteen or twenty miles south of Dickinson.

"There were also fifty teams of the emigrants bound for Idaho who were going along under the protection of the army. This enormous corral has not been located and it is the wish of the society to have some of the old troopers help us find the place. After the corral was established the troopers took nine days' rations for a rapid march into the Indian country. On July 26th the army marched one mile and grazed their horses till 2 o'clock. Then scouts came in and reported that they had a skirmish with the Indians. Mr. Campbell's battalion was put on double quick for nineteen miles. July 27th the army marched twenty miles and grazed their horses and then marched ten miles and camped on Knife River. At this place there were many petrified stumps and trees. The day of the battle, July 28th, the army marched twelve miles before light and grazed their horses and took breakfast. After breakfast they went four miles and met the main body of the Indians.

LONG LINE OF BATTLE

"The army formed a line of battle and for nine miles there was a running fight. This started at 9 o'clock in the morning and all day long the right battalion fought the Indians hand to hand. Many of the Indians had only war clubs and bows and arrows and very primitive guns, but from behind every rock and group of trees the arrows showered upon the troopers. At one time a very large force of the Indians came in from the rear and attempted to capture the battery of twelve cannon. They made their way with all the fiendish glee they could muster, but they did not reckon on the gunners. They waited until the Indians got within 200 yards of the battery and then let two charges go. This made an awful swath in their ranks, and the Indians turned like a pack of frightened sheep before the onslaught of wolves and fled, followed by a terrific saber charge by the troopers. This stand was the turning point in the battle. From this time on the soldiers had the Indians on the run for the hills and the saber was exchanged for the revolver. They soon had the Indians over the hills among the brakes. That night under the silent skies the dead were buried on the camping grounds, and horses were picketed over the grave to destroy all signs of the place.

INDIANS HID IN HILLS

"The next morning, on Friday, July 29th, the soldiers tried to follow the Indians, but they could not do it with success because of the brake back of the hills. The army turned back and in the dry coulee south of the Indian camp tons of meat, both jerked and pemmican, 1,600 tents, poles, clothing, blankets were burned.

"That afternoon the army marched eight miles east to the spring at the old Craig Ranch. Just as the dusk was creeping over the army 600 Indians drove fiercely through the camp and tried to stampede the horses. The two outer guards were killed, but other than this not a shot was fired or a person hurt. It created a great deal of excitement for a time, but the night brought on nothing of importance. This night was vivid in the memory of Mr. Campbell. He well remembers looking towards the battle grounds many times and seeing the constant light of the torches the long night for the dead and wounded or for some things which were hidden in the flight.

"During the next two days the army made their way back sixty-seven miles to the corrals. In the battle at the Killdeer, or, as the Indians call it, 'Ta-ha-kouty,' or the 'place where they kill the deer,' some 2,200 soldiers were actively engaged against 5,000 or 6,000 Indians. Sully reported some 150 of the Indians killed and 5 soldiers killed.

"From this battle ground up to Yellowstone and back to Fort Rice the Indians kept at their heels and the army had to be on their guard constantly."

The ground on which the battle was fought is now described as sections 8, 9, 10, 11, 12, 15, 16, 17, 20, 21, 32, 29, 30, 31 and 32, and north half sections 27 and 28, Township 146 North, Range 96 West 5th Principal Meridian in Dunn County North Dakota The legislature of 1917 authorized the appointment of a Killdeer Mountain Park Commission, and Governor Lynn J. Frazier appointed Colonel C. A. Lounsberry, W. A. Richards and A. A. Liederbach members of such commission, and legislation is now pending for the creation of a national park covering the battleground.

BATTLE OF THE LITTLE MISSOURI, OR "WHERE THE HILLS LOOK AT EACH OTHER"

Returning to his camp on the Heart River in order to reach a pass through the Bad Lands, known to one of his Yankton Indian guides, General Sully on August 5th camped at what is now Medora, "where the hills look at each other." In order to pass through the Bad Lands, it became necessary to cut into the hill sides at many points. The Indians attacked the camp from the hills that evening, and at one point cut off some of the horses, which, however, were recaptured; and next day, on several occasions, they attacked the working parties. The immigrant train, having women and children moved by oxen, impeded the march and lengthened the column to three or four miles, making it necessary to double up the line for protection, and yet at many points in the Bad Lands they could only pass in single file. The danger to the immigrants added to the difficulties of the situation, and to the anxieties of the general. On the 6th every butte (hill) was covered with Indians, some of the hills were 300 feet in height, others sharp-pointed, almost touched, as well as looked at each other; some were low, others mere banks of clay or scoria, as good as those built for defense; others resembled chimneys or other ruins of a burned city, for they had been formed by burning coal mines and the erosion which followed. It was necessary to climb up steep hillsides, plunge down into deep gullies, pass through wooded ravines, crawl along narrow gorges, sometimes in the beds of dry streams, and without water that hot day in August until late in the afternoon, when they reached a small lake and springs, where the Indians had concentrated in an effort to keep them from water. There was fighting almost every step of the way, but the Indians, wary from the battle of July 28th, had little heart for close-range fighting. At the lake and springs the encounter was sharp, but the Indians again fled, having lost very heavily in the ten-mile battle in these Bad Lands of the Little Missouri.

As Sully moved forward the next morning he encountered about one thousand Indians. The skirmishes were frequent, but when they reached the open country they saw a cloud of dust made by fleeing Indians about six miles away; and that was the last seen of them for several days.

General Sully estimated the Indian losses in the battle of the Little Missouri at not less than one hundred killed; some of the officers of his command estimated the number as high as three hundred.

General Sully continued on to the Yellowstone, where he arrived August 12th, meeting the steamers "Chippewa Falls" and "Alone" with supplies. The steamer "Island City," loaded with supplies, struck a snag and was sunk near Fort Union. The boats had gone up the Yellowstone as far as Brasseau's post, where Sully crossed over by fording, intending to go northeast in the hope of again striking the Indians. The country at the Little Missouri was covered by myriads of grasshoppers, which had entirely destroyed the grass; and on reaching the Missouri and Yellowstone he found the waters rapidly falling; so he changed his plans and returned down the Yellowstone to Fort Union, where he arrived on August 18th, and selected the site for a military post, resulting later in the establishment of Fort Buford. Sully then continued down the Missouri River to Fort Rice; first establishing Fort Stevenson, where he left a company of the Sixth Iowa Cavalry under Captain Mooreland, and another at Fort Berthold for the protection of the Gros-Ventres, Arikaras and Mandans, who had been friendly to the whites during the prevailing Indian troubles. He also left one company at Fort Sully; some of the command returned to Yankton and Sioux City, and some marched overland to Fort Wadsworth, which had been built that summer under General Sibley's jurisdiction for the protection of the friendly Sissetons, who had done such excellent service during and following the Minnesota massacre. The garrison at Fort Wadsworth July 31, 1864, when visited by Captain Fisk's expedition, was in command of Maj. John Clowney. It consisted of three companies of the 30th Wisconsin, viz: Company B, Captain Burton; Company E, Captain Devling; Company K, Captain Klaats, and Company M, Second Minnesota Cavalry, Captain Hanley; Third Section Third Minnesota Battery, Battery Capt. H. W. Western. Capt. J. E. McKusick was quartermaster of the post. Maj. Mark Downie and Thomas Priestly were then there. George A. Brackett, with a train of 150 wagons, was camped near the post.

FISK'S EXPEDITION

When General Sully reached Fort Rice he was advised that a party of immigrants known as the Fisk Montana and Idaho Expedition, consisting of 88 wagons and 200 men, women and children, escorted by 47 soldiers, detailed for the purpose at Fort Rice, which left that point for Montana and Idaho August 23d, had been attacked by Indians near the Bad Lands and twelve of the party killed and several wounded; that they were fortified and had sent in an officer and thirteen men who had left the camp after the third day's battle to procure assistance.

General Sully immediately sent a force to their relief under Colonel Dill, consisting of 300 of the Thirtieth Wisconsin, 200 of the Eighth Minnesota and 100 of the Seventh Iowa. They left Fort Rice September 18th and returned with the immigrant train September 30th. Colonel Dill lost one man on the trip, his fate not being known.

THE BATTLE OF RED BUTTES

Captain Fisk's party left Fort Rice August 23, 1864. The battle of Red Buttes, as the attack on Capt. James L. Fisk's expedition was called, occurred September 2, 1864.

When 160 miles west of Fort Rice and 22 miles east of the Bad Lands near Dickinson, one of the wagons met with an accident. Two men and one wagon were left to assist the man with the overturned wagon; also a guard of nine soldiers. Another man of the immigrant party had returned to the dinner camp to recover a lost revolver. Of this party eight were killed and four afterward died of wounds. One escaped through being sent to warn the train, which corralled, and a party was sent to their defense. The fight continued until sunset. One of the defenders, Jefferson Dilts, being more reckless than the rest, and who was mortally wounded, was credited with having killed eleven Indians, and many others were known to have been killed.

The immigrants lost in this affair one wagon loaded with liquors and cigars, and one containing among other things 4,000 cartridges for carbines and several carbines and muskets, and they also "lost" a box of poisoned hard bread. The corral was formed in low ground and six of the dead that were recovered were buried that night by lantern light.

A terrific thunderstorm occurred that night and water next morning was from one to three feet deep in their camp. As they moved next morning they were surrounded by drunken Indians, some smoking cigars, some of the Indians being reckless in their intoxicated condition. The train moved about two miles and again corralled.

Moving out the next morning, they were surrounded by a much stronger and more desperate force which attacked on both sides of the train. Reaching suitable ground, the train corralled and fortified, building breastworks of sod about six feet in height and large enough to inclose the entire train, and made ready for a siege which continued sixteen days before relief came. The next day they were again surrounded by a force of from three to five hundred Indians, but the mountain howitzer in the fort kept them at a respectful distance and no further casualties occurred.

That night Lieutenant Smith with thirteen men returned to Fort Rice for reinforcements which were, it will be seen, promptly sent by General Sully.

The men of Fisk's party who were killed were Louis Nudick, who went back for his revolver; Walter Grimes and Walter Fewer, teamsters; and the wounded, Jefferson Dilts and Albert Libby. Six soldiers were also killed and four wounded. The fort was called Fort Dilts, in honor of Jefferson Dilts, the wounded scout who died of his wounds and was buried under its walls. A spring was found near the fort, which furnished an abundance of water.

THE WHITE CAPTIVE

The Indians had a white woman captive in their camp, Mrs. Fanny Kelly, of Geneva, Kan., captured near Fort Laramie, July 12, 1864. On the next day the Indians formed on the adjacent hills and sent three unarmed warriors forward with a flag of truce. A party went out to meet them, when they planted the flag on a stick and retired. Attached to the stick was a letter reading:

"Makatunke says he will not fight wagons, but they have been fighting two days. They had many killed by the goods they brought into camp. They tell me what to write. I do not understand them. I was taken by them July 12th. They say for the soldiers to give forty head of cattle. Hehutahunca says he fights not. But they have been fighting. Be kind to them, and try to free me for mercy's sake. MRS. KELLY."

"Buy me if you can and you will be satisfied. They have killed many whites. Help me if you can. Uncapapa (they put words in and I have to obey) they say for the wagons they are fighting, for them to go on. But I fear for the result of this battle. The Lord have mercy on you. Do not move."

Other correspondence followed. Mrs. Kelly again wrote:

"I am truly a white woman and now in sight of your camp, but they will not let me go. They say they will not fight, but don't trust them. They say How d'ye do. They say that they want you to give them sugar, coffee, flour, gunpowder, but give them nothing till you see me for yourself, but induce them, taking me first.

"They want four wagons and they will stop fighting. They want forty cattle to eat. I have to write what they tell me. They want you to come here. You know better than that. His name Chatvaneo and the other's name Porcupine. Read to yourself. Some of them can talk English. They say this is their ground. They say go home and come back no more. The Fort Laramie soldiers have been after me but they (the Indians) run so, and they say they want knives and axes and arrow iron to shoot buffalo. Tell them to wait and go to town and they can get them. I would give anything for liberty. Induce them to show me before you give anything. They are very anxious for you to move now. Do not I implore you for your life's sake. FANNY KELLY."

"My residence formerly Geneva, Kansas."

For the ransom of Mrs. Kelly, Captain Fisk offered three good American horses, some flour, sugar and coffee, or a load of supplies, but the Indians did not give her up. Mrs. Kelly was ransomed later by a priest on the Canadian border.

Capt. James L. Fisk enlisted as a private in the Third Minnesota Battery September 20, 1861, and was promoted captain and A. Q. M., volunteers, May 29, 1862. He resigned June 12, 1865. He conducted successful expeditions to Montana and Idaho in 1862 and 1863, and a fourth expedition without military protection, to Montana in 1866. This expedition reached the Missouri River at Fort Berthold via Forts Abercrombie and Wadsworth, July 20, 1866; Fort Union, August 2d; and Helena, Mont., September 29th, via Fort Benton, without accident or exciting incident, while other trains on the line through Nebraska had fighting all the way. One train was reported to have lost seventy men near the Yellowstone and the whole route was said to be strewn with fresh-made graves.

A few days before the arrival of Captain Fisk's 1866 train at Fort Union, about 2,000 Indians came to a point on the opposite side of the river to trade. When the traders went to meet them the Sioux fired on them, wounding two, taking a portion of the goods. The condition of the Indian mind at this time is well illustrated in the incidents leading up to the massacre of Colonel Fetterman's command near Fort Phil Kearney.

THE MASSACRE NEAR FORT PHIL KEARNEY

The massacre of Brevet Lieutenant Colonel Fetterman and his command near Fort Phil Kearney, December 21, 1866, was an incident in the life of Dakota Territory and a natural sequence of the attempt to drive the Indians out of the country, the possession of which had been guaranteed to them by both law and treaty.

In the spring of 1866, Gen. John Pope, commanding the District of Missouri, which included Minnesota, Dakota, Kansas and Nebraska, created the Mountain District and assigned Col. Henry B. Carrington to its command. General Pope's orders contemplated the erection of new military posts, one near Fort Reno, one on the Big Horn and a third on the head waters of the Yellowstone.

RED CLOUD

Fort Reno, formerly known as Fort Conher, was to be moved farther west on the Virginia City trail. Colonel Carrington's headquarters had previously been at Fort Kearney, Nebraska Territory. April 13, 1866, the preliminary order was issued for the proposed new movement. His command consisted of a battalion of the Eighteenth U. S. Infantry, then stationed at Fort Kearney, 220 men. May 19, 1866, 1,000 recruits having arrived for his regiment, he marched two days later, reaching Fort Reno, on the Powder River, June 28th. The country about Fort Reno being unsuitable for a permanent post, the first of the new posts was erected at Piney Forks. It was built between two streams, Piney Creeks, which came from deep gorges in the Big Horn Mountains about five miles apart. It was built on a plateau about 600 by 900 feet in extent, a portion touching the Little Piney. Here a stockade was built of pine logs from the abundant supply in the immediate vicinity. A hill half a mile distant commanded a view of the Tongue River Valley and the road for eleven miles, was utilized for a signal station. There was excellent water, cold, pure and clear; good grazing, good meadows and an abundance of timber and coal, in the vicinity. It was in the very heart of the Indian hunting grounds, with an abundance of buffalo, elk, deer, bear and other game in the surrounding country, which was occupied by Indians of several tribes, including Crows, Shoshones, Cheyennes, Arrapahoes and Sioux, who had hunted here in undisturbed possession of the country.

The Crows and Shoshones were friendly to the whites and one band of Cheyennes professed to be friendly. The Cheyennes were well armed and supplied with powder recently obtained through the Laramie treaty.

Under General Pope's orders immigrants were not allowed to go through the country unless well organized and in large parties, and they were forbidden to trade with the Indians, or under any circumstances to furnish them with whiskey.

The post had a garrison of two companies when first built. As early as July 31st, Colonel Carrington reported evidences of hostility and that it was apparent the Indians intended to harass the whole line of transportation from the Missouri River to the Montana mines. Much live stock had been stolen from settlers and from small parties and from the Government or traders' herds. Colonel Carrington reported that he was convinced he would be compelled to whip the Indians and that they had given him every provocation. Wagon trains passing through the country were worn out by being obliged to camp on high hills, away from water, so persistent were the Indians in their attacks.

The day before Colonel Carrington arrived at Fort Reno, forty-three Indians drove away two head of stock near the fort at midday, and on June 30th the herd of stock belonging to A. C. Leighton, the post sutler, were run off. July 14th, Colonel Carrington was informed by the friendly Cheyennes, representing 176 lodges, that the Sioux would allow his command to remain in the country if they returned to Powder River (Fort Reno); that Red Cloud's forces numbered 500 and he was in control of the Indians in the vicinity, and that the Sioux claimed that the treaty for a road through that country did not mean two roads; that they did not agree to this and would not allow but one. They objected particularly to a road north of the Big Horn and accused Colonel Carrington of coming into the country to take their hunting grounds from them.

July 17th the Indians attacked the train of Brevet Major Haymond, which had arrived at Piney Forks two days before, and drove away 174 head of stock. Haymond pursued but was forced to return with the loss of two men killed and three wounded by arrows. He found in Penn Valley the bodies of Pierre Gasseaux (French Pete), his partner, Henry Arrison, and four others, one being Joseph Donalson, a civilian Government teamster. Gasseaux's Sioux widow said the Sioux came to their place and found Black Horse, of the Cheyennes, and other Indians trading; that they whipped Black Horse, who had delivered to them a message from Colonel Carrington, counting "coos," almost the equivalent in Indian "honor" to taking their scalps, on his party. Gasseaux was on his way to report to Colonel Carrington when killed, as Black Horse told him he would be. This was the beginning of new hostilities which were based on the report by Black Horse that the troops intended to remain in the Big Horn region.

The project of building a fort on the Yellowstone was abandoned. The post on the Big Horn was to be called Fort C. F. Smith. Carrington's new post was already named Fort Phil Kearney.

July 21st, Lieut. Napoleon H. Daniels, in charge of a wagon train, and one corporal, were killed. July 23d Kirkendall's train was attacked but the Indians fled on the approach of the troops under command of Brevet Lieutenant Colonel Kinney. The body of Terrance Callary of Company G, 18th Infantry, who had been hunting buffalo was found; he had been killed before the presence of the Indians was discovered. In a skirmish at Reno Creek, one soldier and one teamster were killed, and after the work of building the fort commenced, scarcely a day or night passed without depredations of some sort by the Sioux.

August 12th the Indians ran off horses and cattle belonging to citizens encamped at Fort Reno; on pursuit by the troops some of the cattle were recaptured. August 14th Joseph Postlewaite and Stockney Williams were killed, four miles from Fort Reno. August 17th the Indians drove off seven horses and seventeen mules from Fort Reno. August 29th Colonel Carrington reported that the post on the Big Horn (Fort C. F. Smith) had been successfully established; that this was timely—as on the day previous to the arrival of the troops the Indians had robbed a citizen's train of 100 mules; that the Indians had molested trains as far west as the Wind River, in one case only one man out of twelve escaped unhurt; that the total number killed up to that time was thirty-three whites and thirty-seven Indians. In the case where the eleven whites were killed, the Indians had been entertained by Mr. Dillon, the head of the party when suddenly the Indians commenced shooting their entertainers.

The Indians were reported divided, the young men favoring war, the old men counseling peace. Dissatisfaction with the Laramie treaty was their principal cause of complaint, coupled with the fear of losing their hunting grounds, then occupied by Colonel Carrington's command.

In November a mail party of twenty soldiers and seventeen miners was attacked by 300 Indians; the miners lost four horses. Lieutenant Bradley returning from Fort Benton was attacked and his chief guide, Brennan, killed. James Bridger, sent to interview friendly Crows, who were camped in the vicinity, reported that it took half a day's ride to go through the camps of the hostile Sioux; that he was so informed by the Crows who had been importuned

A GROUP OF OLD TIME TRADERS

Colonel Robert Wilson, seated: Left to right standing; John Smith, "Jack" Morrow, A. C. Leighton by Red Cloud and others to join in the war against the whites. Almost every band of the Sioux were represented and some of the Gros-Ventres from the Missouri River; they said they would not touch Fort Reno but intended to destroy the two new posts; that they would have two big fights at Pine Woods (Fort Phil Kearney) and Big Horn (Fort C. F. Smith).

A fight was also had at Fort Phil Sheridan in which eight Indians were killed, three subsequently died of wounds and many others were wounded. A citizen's party near the fort, who were playing cards by their camp fire, were fired upon by the Indians and three wounded. September the 8th the Indians attacked a citizens' train near Fort Phil Kearney, driving off twenty mules; October 10th twenty Indians attacked ten herders near the fort, driving off thirty-three horses and seventy-eight mules. October 13th the Indians attacked a haying party, killed one man and ran off 209 cattle, burned the hay and destroyed the mowing machine. The same day they stampeded the Government herd and wounded two herders. September 14th Private Alonzo Gilchrist and on the 16th Private Peter Johnson were killed. September 17th the Indians drove off forty-eight head of cattle which were retaken on pursuit. September 20th they attacked a citizens' party near the fort. One Indian was killed and one wounded. September 23d they drove off twenty-four head of cattle owned by a contractor. In a sharp skirmish the cattle were recovered. The hay party was again attacked and on their return to the fort they found the bodies of Mr. Gruell and two teamsters who had been [illegible] Fort Smith with supplies. They met twenty soldiers and seventeen miners who had been corralled by the Indians and fought two days before relieved. Depredations were committed about Fort Reno on the 17th, 21st and 23d of September. Several head of government stock were run off and Casper H. Walsh killed during these operations. In an attack on a citizens' train W. R. Petty and A. B. Overholt were wounded. September 27th Private Patrick Smith was scalped alive and mortally wounded, but crawled half a mile to the block house where he died the next day. An attempt was made to cut off the picket near the forts by the Indians who killed Smith, and other supporting parties, but they were driven off by shell fire. Bailey's party of miners arrived that day. They had lost two men killed and scalped by the Indians. September 17th Ridgeway Glover, a citizen artist, who left the fort without permission, was found two miles away dead, naked, scalped and mutilated.

September 25th the Indians took ninety-four head of stock from Contractor Chandler's herd. A short fight occurred in which five Indians and a white man known as Bob North, their leader, was killed; sixteen Indians were wounded. During the month one citizen was killed near Fort Smith. October 4th Colonel Carrington reported the loss of one soldier, scalped on the wood train. October 13th two were killed and one wounded of the wood party. Indian activities were reported late in November with occasional loss of stock.

December 6th Indians attacked the wood train. Lieut. Horatio S. Bingham and Sergt. C. R. Bowers were killed. Bowers killed three Indians before he fell. The Indians showed their respect for his bravery by leaving him unscalped. Five other soldiers were wounded. The Indian loss was estimated at ten killed and many wounded.

Thereafter Indians appeared about the fort almost every day until the 19th, when a train was reported corralled on the hill and attacked by a large force.

December 21st the wood train was again reported corralled about a mile and a half from the fort. A force of eighty-one officers and men and two citizens, James S. Wheatley and Isaac Fisher, were sent to their relief, under the command of Brevet Lt. Col. William Judd Fetterman and Lieut. George W. Grummond, accompanied, without orders, by Capt. Frederick H. Brown. They were attacked near the train when they rashly followed the Indians in flight nearly five miles. Here they were surrounded and all were killed. The bodies of Colonel Fetterman and Captain Brown were found near four rocks where the last stand had been made, each with a revolver shot in the left temple, and it was believed they had shot each other. The bodies of Wheatley and Fisher were found naked with 105 arrow shots in one and many in the other. The Henry rifle shells and the pools of blood about them told the story of the execution done by them. Pools of blood indicated the point where sixty-five Indians fell in the desperate conflict. Three of these were near Lieutenant Grummond. All of the bodies were shockingly mutilated.

The dead were: Officers, Capt. and Brevet Lieut. Col. William J. Fetterman, Capt. Frederick H. Brown, and Lieut. George W. Grummond.

Company A, second battalion, 18th Infantry: First Sergt. Augustus Long; First Sergt. Hugh Murphy, Corpl. Robert Lennon, Corpl. William Dute; Privates Frederick Ackerman, William Betzler, Thomas Burke, Henry Buchanan, Maxim Diring, George E. R. Goodall, Francis S. Gordon, Michael Harten, Martin Kelly, Patrick Shannon, Charles M. Taylor, Joseph D. Thomas, David Thorey, John Thompson, Albert H. Walters, John M. Weaver and John Woodruff.

Company C, Second Battalion, 18th Infantry: Sergt. Francis Raymond, Sergt. Patrick Rooney, Corpl. Gustave Bauer, Corpl. Patrick Gallagher; Privates Henry E. Aarons, Michael O. Garra, Jacob Rosenburg, Frank P. Sullivan, and Patrick Smith.

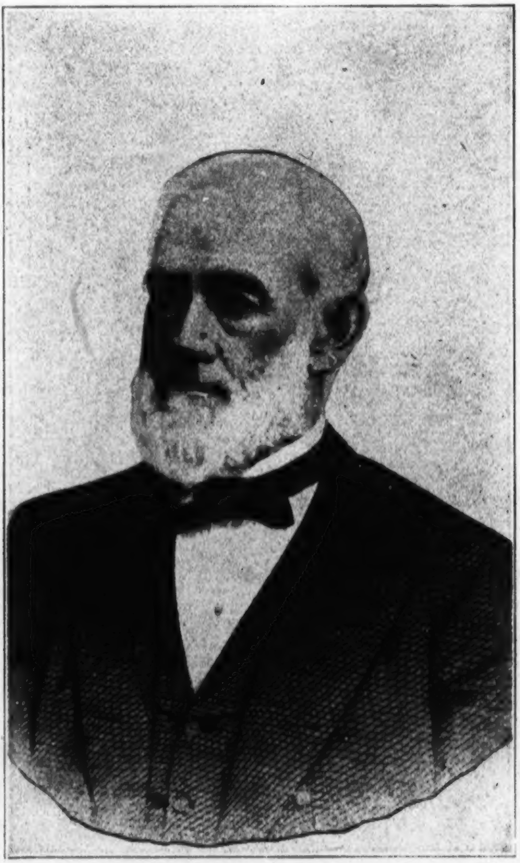
Company E, Second Battalion, 18th Infantry: Sergt. William Morgan, Corpl. John Quinn, Privates George W. Burrell, John Maher, George H. Waterbury, and Timothy Cullinane.

Company H, Second Battalion, 18th Infantry: First Sergt. Alex Smith, First Sergt. Ephraim C. Bissell, Corporal Michael Sharkey, Corporal George Phillips, Corpl. Frank Karston, Privates George Davis, Thomas H. Madden, Perry F. Dolan, Asa H. Griffin, Herman Keil, James Kean, Michael Kinney, and Delos Reed.

Company C, Second U. S. Cavalry: Sergt. James Baker, Corpl. James Kelly, Corpl. Thomas H. Herrigan, Bugler Adolf Metzger, Artificer John McCarty, Privates Thomas Amberson, Thomas Broghn, Nathan Foreman, Andrew M. Fitzgerald, Daniel Green, Charles Gamford, John Gitter, Ferdinand Houser, William M. Bugbee, William L. Corneg, Charles Cuddy, Patrick Clancey, Harvy S. Deming, U. B. Doran, Robert Daniel, Frank Jones, James P. McGuire, John McColly, Franklin Payne, James Ryan, George W. Nugent, and Oliver Williams.

All of the bodies were recovered and fittingly buried in the Post Cemetery.

These facts are mainly gathered from the report of Col. Henry B. Carrington, and his evidence before the congressional investigating committee, found in Senate Document No. 33, 50th Congress, First Session.



WILLIAM A. HOWARD

Sixth governor of Dakota Territory, 1878 to 1880. Died in office, 1880

THE GREAT SIOUX RESERVATION

The Fort Phil Kearney massacre led to the adjustment of existing difficulties with the Indians and to the Treaty of April 29, 1868, and the establishment of the Great Sioux Reservation. It was a treaty by Warrior Chiefs on the one side and illustrious soldiers, viz: Lieut. Gen. William T. Sherman, Brevet Maj. Gen. William S. Harney, Brevet Maj. Gen. Alfred H. Terry, Brevet Maj. Gen. Christopher C. Augur, Brevet Maj. Gen. John B. Sanborn, and several distinguished citizens.

Section 1 declared: "From this day forward all war between the parties to this agreement shall forever cease. The Government of the United States desires peace and its honor is hereby pledged to keep it. The Indians desire peace and they now pledge their honor to maintain it."

The United States agreed by this solemn treaty, ratified and proclaimed, that no person excepting certain designated persons, officers, agents and employees of the Government authorized so to do in order to discharge duties enjoined by law, should ever be permitted to pass over, settle upon or reside in the territory set aside for this reservation, the United States relinquishing to the Indians all claim to the land within such reservation. And if there was not enough to give each Indian 160 acres of arable land it was agreed they should have more.

The United States agreed to erect agency buildings, a saw mill and grist mill. Each head of a family was allowed to select 320 acres of land and each other person over eighteen years of age was allowed to select 80 acres of land and each male person over 18 years of age, after residing upon his selection for three years and making certain improvements was to receive a patent for 160 acres. Assistance in farming was provided for and provision made for school houses and schools. Clothing was promised for 30 years for men, women and children. Food was also promised for four years after settling upon the land, together with oxen and utensils for use in operating their farms.

The Indians agreed to allow the construction of the Pacific Railroad and any railroad not passing over their reservation, and that they would not attack or molest any one or carry off white women or children from their homes nor kill and scalp white men.

And yet hostilities continued and eight years later the Custer massacre occurred, growing out of resistence by the Indians to the demands for opening of the Black Hills and the extension of the Northern Pacific Railroad. But the hostilities were at first mere depredations by lawless individual characters.

CHAPTER XXI

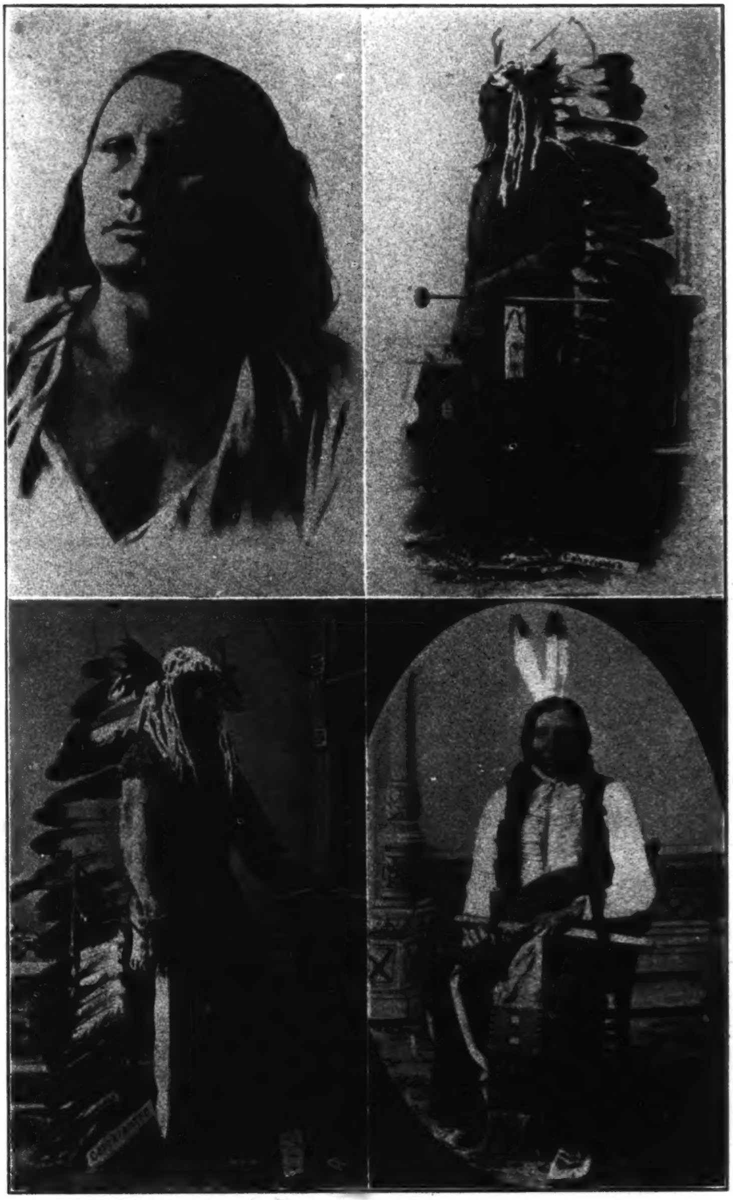
POLITICS IN INDIAN AFFAIRS

THE CUSTER MASSACRE AND THE CAUSES LEADING UP TO IT—VIOLATED INDIAN TREATIES—STEAMBOAT LOADS OF SUPPLIES STOLEN—HOLDING UP THE INDIAN AND MILITARY TRADERS—THE BELKNAP SCANDAL AND HOW IT WAS SPRUNG—CUSTER'S LAST CHARGE—THE STORY OF THE BATTLE—LISTS OF THE DEAD AND WOUNDED—RENO AT THE LITTLE BIG HORN—HEROISM OF DR. H. R. PORTER—LIGHTNING TRIP OF THE STEAMER "FAR WEST"—CAPT. GRANT MARSH—DR. PORTER'S STORY—FIRST NEWS OF THE BATTLE—THE NEW YORK HERALD.

The story of the Custer massacre, June 25, 1876, is a part of the history of Dakota not only because of its effect in opening the western parts of the territory to settlement, the early construction of the Northern Pacific Railroad, and the forced amendment of the Sioux treaty creating the Great Sioux Reservation, but because of those slain, every one of whom had friends or acquaintances at Bismarck. Some had wives and children there, others near and dear ones. All had friends, and friendship seemed closer then, when Bismarck was a frontier city. The people at Bismarck, Jamestown, Valley City, Fargo, Moorhead and even Brainerd were neighbors, but the nearest and dearest friends of Bismarck and Bismarck people were at the military posts. The families of the officers and men at Fort A. Lincoln were part of the social life of Bismarck. Forts Rice, Stevenson and Buford were also always taken into consideration and were considered their next best friends and next nearest neighbors.

The Sixth United States Infantry had its headquarters at Fort Buford, the Seventeenth at Fort Rice. Both had companies at Bismarck or Fort A. Lincoln. Mrs. Gen. W. B. Hazen, later Mrs. Admiral Dewey, then a bride passed through Bismarck in the spring to join her husband at Fort Buford. She landed at Bismarck during the raging snow storm early in May, 1873, and passed up the river by ambulance to Fort Buford.

Only construction trains were then run between Fargo and the end of the track, some forty miles east of Bismarck, and there was no regular communication between there and Bismarck. The mails were carried by the quartermaster department, Bismarck receiving its supply from Fort A. Lincoln. Samuel A. Dickey was the postmaster at Bismarck and Mrs. Linda W. Slaughter, his assistant, had charge of the office. She was later appointed postmaster, resigning in February, 1876, when Col. Clement A. Lounsberry succeeded her and remained the postmaster until he resigned in 1885, the office having grown in the meantime from fourth to second class. Dickey was post trader at Fort A. Lincoln. Col. Robert Wilson was in charge of the trader's store.



Photos by D. F. Barry, Superior, Wis.

Chief Gaul
Rain-in-the-Face

Sitting Bull
Bull Head

NOTED SIOUX

In the spring of 1873, Gen. George A. Custer arrived at Fort Rice with the Seventh U. S. Cavalry, and participated in the expedition of that year to the Yellowstone. The cavalry barracks at Fort A. Lincoln were built that year and occupied on the return of the expedition, as regimental headquarters, a portion of the regiment being located at Fort Rice, and two troops at Fort Totten on Devils Lake.

In 1874 General Custer conducted an expedition to the Black Hills and settled the question as to the existence of gold in that region. Professor Winchell, of the Minnesota University, accompanied the expedition, together with other specially invited scientists. Gen. Frederick D. Grant, then a lieutenant in the army, went as the special representative of President Grant. William E. Curtis, the famous newspaper correspondent, represented the Chicago Inter-Ocean, Nathan H. Knappen, the Bismarck Tribune. H. N. Ross, then of Bismarck, was selected as the head of a mining party, equipped for prospecting. It was understood that the scientific portion of the expedition was organized to disprove the stories of the existence of rich gold fields in the Black Hills. A solemn treaty had been entered into with the Sioux Indians reserving almost an empire, lying west of the Missouri River and embracing the Black Hills, for the exclusive use of the allied tribes, as related in the preceding chapter.

Custer's expedition to the Black Hills was permitted by General Sheridan but it was stipulated that the expedition should not return within sixty days. It left Fort Abraham Lincoln July 2d, and returned August 31st. It is quite certain that the organization of the mining party was not authorized. It was the good fortune of the Bismarck Tribune to have its correspondent assigned to the mining party with instructions to report the facts. The scientific party found no gold. The representatives of the other great newspapers saw none. The personal representative of President Grant was oblivious to its presence, but the miners found it and the representative of the Bismarck Tribune saw it and gave to the world the first information concerning the fact, and the Tribune had the first assay made of Black Hills ore. General Custer sent Scout Charles Reynolds to Camp Robinson, Nebraska, with official dispatches in which he informed General Sheridan of the discovery of gold, and this scout carried the dispatch to the Bismarck Tribune, and by the Tribune was given to the Associated Press before it became public from any other source.

As the result of these discoveries the Black Hills were invaded from every direction. The Government issued drastic orders and many trains loaded with mining outfits or supplies were destroyed by the military and many arrests were made, while other parties were destroyed by the Indians, for the Indians were enraged beyond endurance by this new act of bad faith. The miners were rapidly concentrating in the hills; among the Indians the young men inclined to war were concentrating in the Little Big Horn country. They were well armed and the immense herds of buffalo then in existence gave them abundant supplies, which they were unable to obtain at the agencies, notwithstanding the treaty obligations of the Government.

The treaty of 1868, which provided for the Great Sioux reservation, also provided that certain supplies should be delivered to the Indians annually at their several agencies, along the Missouri River. At the Standing Rock agency there was an alleged enrollment of some 7,000 Indians. There was actually less than half of that number. The winter of 1873-4 set in early and a large portion of their supplies were not delivered until the next spring, on account of the early closing of the Missouri River. And when delivered it is charged that they were stolen by the boat load; that a small portion of each cargo was delivered, but the whole receipted for, while the bulk went on up the river where it was disposed of to the traders or others. And it was charged that much of their regular supplies were disposed of in the same manner.

It was apparent to any observer that, notwithstanding the liberal provisions made by the Government for the Indians, the Indians were suffering from hunger, and their attitude became constantly more threatening. There were other ugly rumors, which unfortunately proved to be true, that the traders were paying enormous tribute to persons connected with those in official position, and that the quota apportioned to each of the traders at Forts Buford, Lincoln and Rice, to be paid monthly, was $1,000, with lesser sums for the smaller posts.

General Custer was a man of action and of high ideals, and believed in a square deal. These rumors, backed with absolute proof, reached him. He also believed that smuggling of arms and liquor was carried on to a great extent and that by this means also money was provided to pay the tribute exacted of the traders. The wife of the then Secretary of War was the beneficiary on the part of the military traderships, while one related to the President was sharing the profit from the Indian traderships.

General Custer was instrumental in having Ralph Meeker sent out by a New York newspaper to report on this matter. He reported to General Custer. His mission was known to the writer of these pages, then editor of the Bismarck Tribune, and to James A. Emmons at Bismarck, who had previously flaunted the main facts in the face of the Secretary of War by means of a printed circular, when General Belknap was on an official visit to Fort A. Lincoln. Meeker gained employment through General Custer at the Berthold Indian Agency, and thereby gained opportunity for interviews with a number of the Sioux whom he met there and at Fort A. Lincoln and Standing Rock. Custer was not backward in supplying Meeker the facts that had come to his attention, and the publication of the story resulted in the impeachment of Secretary Belknap, who resigned rather than have the facts, of which he was not wholly conscious, become a matter of record.

The exposé occurred in February, 1876. General Custer had been in Washington arranging for the expedition and was on his way home when the matter became known. Congress immediately appointed an investigating committee.

It was the custom then to close the Northern Pacific Railroad from Fargo to Bismarck for the winter. The Black Hills travel caused an attempt to open the road early that spring and on March 5th, a train left Fargo for Bismarck but was snow bound three weeks at Crystal Springs. Among the passengers on this train were General Custer and wife and several officers of the Seventh Cavalry, a large number of recruits, Mayor McLean of Bismarck and Colonel Lounsberry who were returning from Washington, where they were on the floor of the House of Representatives and exhibited specimens of gold from the Black Hills. They were granted an audience by President Grant and Secretary Belknap, General Grant remarking, "that settles the question as to whether there is gold in the Black Hills."

William Budge, and a large party of miners from Grand Forks, were also on the train. General Custer and family left the train by team and on his arrival at Fort A. Lincoln he was summoned by telegraph to give testimony before a committee of Congress appointed to investigate the charges against Secretary Belknap. Some of his testimony gave offense to the administration and the plans for the Yellowstone expedition were changed, and Gen. Alfred H. Terry was assigned to the command of the expedition which left Fort A. Lincoln May 17, 1876.

Custer was in command of his own regiment. Some of the companies were commanded by officers related to him by blood or other ties or intimate personal friends.

Colonel Lounsberry, who represented the New York Herald and the Associated Press through its St. Paul office, was the only correspondent who had secured authority to accompany the expedition, but sickness in his family at the last moment prevented his going and he chose Mark H. Kellogg to represent him on the expedition. On reaching the Rosebud, Custer's knowledge of the country became invaluable and he was ordered to take his regiment and locate the Indians. At an assembly of the officers June 22d, at dusk, General Custer stated that he had investigated as to the number of the hostiles through the Indian Bureau and other sources and he was satisfied that they would not find more than 1,000 to 1,500 warriors.

General Gibbon's command had already reported to General Terry and had started up the left bank of the Yellowstone as Custer made camp at the mouth of the Rosebud on the right bank.

General Custer's instructions from General Terry directed him to take trails and follow till he should ascertain definitely the direction in which they would lead, then report; if he found it leading to the Little Big Horn to still proceed south perhaps as far as the head waters of the Tongue River, the object being to locate the Indians and determine as accurately as possible all facts necessary to a successful prosecution of the campaign against them. General Terry avoided giving positive orders and left action to General Custer's discretion when so near the enemy.

The information which had been forwarded by General Sheridan that the Indian agencies had been deserted by large numbers of Indians had not reached General Terry before the battle of the Little Big Horn. In locating the enemy Major Reno with three troops was assigned to the advance and ordered to attack, and advised that the whole command would support him. This was before reaching the ford and before General Custer divined the situation as it later appeared. He gave these orders on first reaching the open valley, on seeing the Indian villages, expecting no doubt to follow Reno, considering the possible flight of the Indians south toward the mountains or northward into the Bad Lands, expecting only a running fight and that they would not make a stand at their villages, exposing their women and children to direct attack. Such a conclusion would be in accord with all previous experience in Indian warfare.

Custer's immediate command when the massacre occurred consisted of five companies, the others being appropriately assigned to other parts. Reno was put to flight. Custer attacked with the five remaining companies.

The history of the battle has been written in the light of investigation and research by Gen. E. S. Godfrey in the Century Magazine of January, 1892, and also by others after a thorough investigation of the subject.

The matter which follows must be considered in the light of a narrative and as an evidence of enterprise in gathering and publishing matter supposed to be facts, but in the confusion and excitement of the occasion, inaccuracy may have occurred in some particulars, though not in the list of casualties.

Mark Kellogg's last dispatch to the Bismarck Tribune read: "We leave the Rosebud tomorrow and by the time this reaches you we will have met and fought the red devils, with what result remains to be seen. I go with Custer and will be at the death."

He had written of the events of the expedition, of the preparation for the morrow, and of the incidents of personal interest, up to the very moment of marching, and, as was his custom, had his dispatches ready for the first departing courier. He was personally known to many of the Indians and known to be their friend, and to be "the man who makes the paper talk." His body was found not mutilated in the slightest degree. His notes were gathered up and brought to Mr. Lounsberry without a missing page. Lieutenant Bradley, Seventh Infantry, was the first to reach "the field of carnage."

Maj. James S. Brisbin of Gibbon's command filled a pass book with incidents as he saw them on the battlefield, the position and condition of the dead. There were no wounded in Custer's party. All were slain save the Crow scout Curley, who put on a Sioux blanket and managed to escape but completely dazed. Brisbin's contribution was brought by Dr. H. R. Porter, with the request that it be given to the New York Herald. It was but a small part of the story as given to the Herald, and to the world through that great newspaper. Other papers had brief bulletins: The Herald had it all; their telegraph tolls amounting to some $3,000 for that single story sent by one newspaper correspondent. But every officer and every man was ready and anxious to assist in making the story complete. When General Terry reached Bismarck he filed his official dispatches and at the same time notified Colonel Lounsberry, whom he caused to be furnished with an official list of the dead and wounded and with all possible facts. His staff officers were equally courteous. Dr. Porter, Fred Gerard and a score of others contributed to the story begun by Kellogg in his brief dispatch from the Rosebud. John M. Carnahan was the manager of the Bismarck telegraph office. S. B. Rogers was his able assistant. Here is absolutely the first account published July 6, 1876, as it came hot from the field of battle and dropped from the lips of those who saw the dead and participated in the affair with Reno or in other incidents of the expedition. And Grant Marsh, whose boat fairly skipped on the surface of the waters of the Missouri, coming down at the rate of twenty miles an hour, also contributed his mite to the story as published in the New York Herald, delayed in part one day in transmission from St. Paul.

The battle was June 25th. The Far West arrived at Bismarck at 11 P. M., July 5th. Before her arrival there was uneasiness at Fort A. Lincoln. The expected courier did not come. There was reticence and strange actions on the part of the Indians in the vicinity. It was felt that they had heard some news or that they were contemplating an uprising, but no whisper of the great disaster was heard. Bismarck shared the anxiety of those at Fort A. Lincoln. Longing eyes were cast to the west in the hope that the expected courier might appear.

From Salt Lake there came a rumor that a battle had been fought, but there were absolutely no details. When or where no one pretended to know. General Sheridan was most emphatic in his denunciation of the story. The first news that gave any information came from Bismarck, and the first publication, aside from a bulletin sent out by the Tribune which appeared in the New York Herald of July 6th, was in the Bismarck Tribune of that date.

There were no Mergenthalers then. Composition was by the slow hand process and there were but two printers in town. They took the pages as they fell hot from the hand of one who was at the same time furnishing a 50,000 word press report, who had only time to give them facts, and here is the account as it was then published, and it is indeed worthy of a place as it was then written, in the history of Dakota.

MASSACRED.

General Custer and 261 Men the Victims.

No Officer or Man Left to Tell the Tale.

Three Days' Desperate Fighting by Major Reno and the Remainder of the Seventh.

Full Details of the Battle.

List of Killed and Wounded.

The Bismarck Tribune's Special Correspondent Slain.

Squaws Mutilate and Rob the Dead.

Victims Captured Alive Tortured in a Most Fiendish Manner.

What Will Congress Do About It?

Shall This Be the Beginning of the End?

"We leave the Rosebud tomorrow and by the time this reaches you we will have

Met and Fought

the red devils with what result remains to be seen. I go with Custer and will be at the death."

How true! On the morning of the 22d (it was at noon) General Custer took up the line of march for the trail of the Indians reported by Reno on the Rosebud. General Terry, apprehending danger, urged Custer to take additional men but Custer, having full confidence in his men and in their ability to cope with the Indians in whatever force he might meet them, declined the proffered assistance and marched with his regiment alone. He was instructed to strike the trail of the Indians, to follow it until he discovered their position, and report by courier to General Terry (see note), who would reach the mouth of the Little Horn by the evening of the 26th, when he would act in concert with Custer in the final wiping out. At 4 o'clock in the afternoon of the 24th, Custer's scouts reported the location of a village recently deserted, whereupon Custer went into camp, marching again at 11 P. M., continuing the march until daylight, when he again went into camp for coffee. Custer was then fifteen miles from the village located on the Little Horn, one of the branches of the Big Horn, twenty miles above its mouth, which could be seen from the top of the divide, and after lunch General Custer pushed on. The Indians by this time had discovered his approach and soon were seen mounting in great haste, riding here and there, it was presumed in full retreat. This idea was strengthened by finding a freshly abandoned Indian camp with a deserted tepee, in which one of their dead had been left, about six miles from where the battle took place. Custer with his usual vigor pushed on, making seventy-eight miles without sleep, and attacked the village near its foot with Companies C, E, F, I and L of the Seventh Cavalry, Reno having in the meantime attacked it at its head with three companies of cavalry which, being surrounded, after a desperate hand to hand conflict in which many were killed and wounded, cut their way to a bluff about three hundred feet high, where they were reinforced by four companies of cavalry under Colonel Benteen. In gaining this position Colonel Reno had to recross the Little Horn, and at the ford the hottest fight occurred. It was here that Lieutenants McIntosh, Hodgson and Doctor DeWolf fell; where Charley Reynolds fell in a hand-to-hand conflict with a dozen or more Sioux, emptying several chambers of his revolver, each time bringing down a redskin before he was brought down—shot through the heart. It was here Bloody Knife surrendered his spirit to the one who gave it, fighting the natural and hereditary foes of his tribe, as well as the foes of the whites.

The Sioux dashed up beside the soldiers, in some instances knocking them from their horses and killing them at their pleasure. This was the case with Lieutenant McIntosh, who was unarmed except for a saber. He was pulled from his horse, tortured and finally murdered at the pleasure of the red devils. It was here that Fred Gerard was separated from the command and lay all night with the screeching fiends dealing death and destruction to his comrades within a few feet of him and—but time will not permit us to relate the story—through some means succeeded in saving his fine black stallion in which he took so much pride.

The ford was crossed and the summit reached, the bluffs, having, Colonel Smith says, the steepest sides that he ever saw ascended by a horse or mule, though the ascent was made under a galling fire.

The companies engaged in this affair were those of Captains Boylan, French and McIntosh. Colonel Reno had gone ahead with these companies in obedience to the order of General Custer, fighting most gallantly, driving back repeatedly the Indians who charged in their front, but the fire from the bluff was so galling, it forced the movement heretofore alluded to. Signals were given and soon Benteen with the four companies in reserve came up in time to save Reno from the fate with which Custer about this time met. The Indians charged the hill time and time again, but were each time repulsed with heavy slaughter by its gallant defenders. Soon however, they reached bluffs higher than those occupied by Reno, and opened a destructive fire from points beyond the reach of cavalry carbines. Nothing being heard from Custer, Colonel Weir was ordered to push his command along the bank of the river in the direction he was supposed to be, but he was soon driven back, retiring with difficulty. About this time the Indians received strong reinforcements, and literally swarmed the hillsides and on the plains, coming so near at times that stones were thrown into the ranks of Colonel Reno's command by those unarmed or out of ammunition. Charge after charge came in quick succession, the fight being sometimes almost hand-to-hand. But they finally drew off, taking to the hills and ravines. Colonel Benteen charged a large party in a ravine, driving them from it in confusion. They evidently trusted in their numbers and did not look for so bold a movement. They were within range of the corral and wounded several packers, J. C. Wagoner among the number, wounded in the head, while many horses and mules were killed. Near 10 o'clock the fight closed, and the men worked all night strengthening their breastworks, using knives, tin cups and plates in place of spades and picks, taking up the fight again in the morning. In the afternoon of the second day the desire for water became almost intolerable. The wounded were begging piteously for it. The tongues of the men were swollen and their lips parched, and from lack of rest they were almost exhausted. So a bold attempt was made for water. Men volunteered to go with canteens and camp kettles, though to go was almost certain death. The attempt succeeded, though in making it one man was killed and several wounded. The men were relieved and that night the animals were watered. The fight closed at dark, opening again the next morning, and continuing until the afternoon of the 27th. Meantime the men became more and more exhausted and all wondered what had become of Custer. A panic all at once was created among the Indians and they stampeded from the hills and from the valley, and the village was soon deserted, except for the dead. Reno and his brave band felt that succor was nigh.

General Terry came in sight and strong men wept upon each other's necks but no word was had from Custer. Hand shaking and congratulations were scarcely over when Lieutenant Bradley reported that he had found Custer dead with 190 cavalrymen. Imagine the effect. Words cannot picture the feeling of these, his comrades and soldiers. General Terry sought the spot and found it to be true. Of those brave men that followed Custer, all perished. No one lives to tell the story of the battle. Those deployed as skirmishers lay as they fell, shot down from every side, having been entirely surrounded in an open plain.

The men in the companies fell in platoons, and, like those on the skirmish line, lay as they fell, with their officers behind them in their proper positions. General Custer, who was shot through the head and body, seemed to have been among the last to fall, and around and near him lay the bodies of Colonel Tom and Boston, his brothers, Colonel Calhoun, his brother-in-law, and his nephew, young Reed, who insisted on accompanying the expedition for pleasure, Colonel Cook and the members of the non-commissioned staff all dead—all stripped of their clothing and many of them with bodies horribly mutilated.

The officers who fell were as follows: Gen. G. A. Custer, Cols. Geo. Yates, Miles Keogh, James Calhoun, W. W. Cook, Captains McIntosh, A. E. Smith, Lieutenants Riley, Critenden, Sturgis, Harrington, Hodgson and Porter, Assistant Surgeon DeWolf. The only citizens killed were Boston Custer, Mr. Reed, Charles Reynolds, Isaiah, the interpreter from Fort Rice, and Mark Kellogg, the latter the Tribune correspondent. The body of Kellogg alone remained unstripped of its clothing, and was not mutilated. Perhaps as they had learned to respect the Great Chief, Custer, and for that reason did not mutilate his remains they had in like manner learned to respect this humble shover of the lead pencil and to that fact may be attributed this result. The wounded were sent to the rear some fourteen miles on horse litters, striking the Far West sixty odd miles up the Big Horn, which point they left on Monday, July 3, at noon, reaching Bismarck, 900 miles distant, at 11 P. M., Wednesday, July 5.

The burial of the dead was sad work, but they were all decently interred. Many could not be recognized; among the latter class were some of the officers. This work being done the command worked its way back to the base, where General Terry (his command) awaits supplies and approval of his plans for the future campaign.

The men are worn out with marching and fighting, and are almost wholly destitute of clothing.

The Indians numbered at least 1,800 lodges in their permanent camp, while those who fought Crook seemed to have joined them, making their effective fighting force nearly four thousand. These were led by chiefs carrying flags of various colors, nine of whom were found in a burial tent on the field of battle. Many other dead were found on the field, and near it ten squaws at one point in a ravine—evidently the work of Ree or Crow scouts.

The Indian dead were great in number, as they were constantly assaulting an inferior force. The camp had the appearance of being abandoned in haste. The most gorgeous ornaments were found on the bodies of the dead chiefs and hundreds of finely dressed and painted robes and skins were thrown about the camp. The Indians were certainly severely punished.

We said none of those who went into battle with Custer are living—one Crow scout hid himself in the field and witnessed and survived the fight. His story is plausible and is accepted, but we have no room for it now. The names of the wounded are as follows:

Priv. Davis Corey, Company I, Seventh Cavalry, right hip; Patrick McDonnall, D, left leg; Sergt. John Paul, H, back; Privts. Michael C. Madden, K, right leg; Wm. George, H, left side, died July 3, at 4 A. M.; First Sergt. Wm. Heyn, A, left knee; Priv. John McVay, C, hips; Patrick Corcoran, K, right shoulder; Max Wilke, K, left foot; Alfred Whitaker, C, right elbow; Peter Thompson, C, right hand; Jacob Deal, A, face; J. H. Meyer, M, back; Roman Rutler, M, right shoulder; Daniel Newell, M, left thigh; Jas. Muller, H, right thigh; Elijah T. Stroude, A, right leg; Sergt. Patrick Carey, M, right hip; Priv. Jas. E. Bennett, C, body, died July 5, at 3 o'clock; Francis Reeves, A, left side and body; James Wilbur, M, left leg; Jasper Marshall, L, left foot; Sergt. Jas. T. Riley, E, back and left leg; Priv. John J. Phillips, H, face and both hands; Samuel

DR. HENRY R. PORTER

CHARLES REYNOLDS

Severn, H, both thighs; Frank Brunn, M, face and left thigh; Corp. Alex B. Bishop, H, right arm; Priv. Jas. Foster, A, right arm; W. E. Harris, M, left breast; Chas. H. Bishop, H, right arm; Fred Homsted, A, left wrist; Sergt. Chas. White, M, right arm; Priv. Thos. P. Varnerx, M, right ear; Chas. Campbell, C, right shoulder; John Cooper, H, right elbow; John McGuire, C, right arm; Henry Black, H, right hand; Daniel McWilliams, H, right leg.

An Indian scout, name unknown, left off at Berthold; Sergt. M. Riley, Company I, Seventh Infantry, left off at Buford, consumption; Priv. David Ackison, Company E, Seventh cavalry, left off July 4th at Buford, constipation.

The total number of killed was 261; wounded 52. Thirty-eight of the wounded were brought down on the Far West; three of them died en route. The remainder were cared for at the field hospital.

De Rudio had a narrow escape and his escape is attributed to the noise of beavers, jumping into the river during the engagement. De Rudio followed them, got out of sight and after hiding for twelve hours or more finally reached the command in safety.

The body of Lieutenant Hodgson did not fall into the hands of the Indians; that of Lieutenant McIntosh did, and was badly mutilated. McIntosh, though a halfbreed, was a gentleman of culture and esteemed by all who knew him. He leaves a family at Lincoln, as do General Custer, Colonels Calhoun and Yates, Captain Smith and Lieutenant Porter. The unhappy Mrs. Calhoun loses a husband, three brothers and a nephew. Lieutenant Harrington also had a family, but no trace of his remains was found. We are indebted to Colonel Smith for the following full list of the dead; to Doctor Porter for the list of wounded, which is also full.

KILLED.

FIELD AND STAFF

Brevet Maj. Gen. George A. Custer; Lieut.-Col. W. W. Cook; Assistant Surgeon, —. Lord; Acting Asst. Surgeon, J. M. De Wolf.

NONCOMBATANT STAFF

Surgeon Maj. W. W. Sharrow; Chief Trumpeter Henry Voss.

COMPANY A

Corporals Henry Dallans, G. K. King; Privates J. E. Armstrong, Jas. Drinaw, Wm. Moody, R. Rowline, Jas. McDonald, John Sullivan, Thos. P. Switzer.

COMPANY B

Second Lieut. Benj. Hodgson, Privates Richard Doran and Geo. Mask.

COMPANY C

Brevet Lieut.-Col. T. W. Custer; Second Lieut. H. H. Harrington (the body of Lieutenant Harrington was not found but it is reasonably certain that he was killed); First Sergt. Edwin Baba, Sergts. Finley and Finkle, Corps. French, Foley and Ryan; Privates Allen, Criddle, King, Bucknell, Eisman, Engle, Brightfield, Fanand, Griffin, Hamlet, Hattisoll, Kingsoutz, Lewis, Mayer, Mayer, Phillips, Russell, Rix, Ranter, Short, Shea, Shade, Stuart, St. John, Thadius, Van Allen, Warren, Windham, Wright.

COMPANY D

Farrier Charley Vincent, Privates Patrick Golden and Edward Hanson.

COMPANY E

Brevet Capt. A. E. Smith, Second Lieut. E. Sturgis (the body of Lieutenant Sturgis was not found, but it is reasonably certain he was killed); First Sergt. F. Hohmeyer, Sergts. Egnen and James; Corp. Hagan, Privates Snow and Hughes.

COMPANY L

First Lieut. Jas. Calhoun, Privates Miller, Tweed, Veller, Cashan, Keifer, Andrews, Crisfield, Harnington, Haugge, Kavaugh, Lobering, Mahoney, Schmidt, Lunan, Semenson, Riebold, O'Connell, J. J. Crittenden (Twentieth Infantry), First Sergts. Butler and Warren, Corps. Harrison, Gilbert and Seiller; Trptr. Walsh, Privates Adams, Assdely, Burke, Cheever, McGue, McCarthy, Dugan, Maxwell, Scott, Babcock, Perkins, Tarbox, Dye, Tessler, Galvin, Graham, Hamilton, Rodgers.

COMPANY K

First Sergt. D. Winney, Sergt. Hughes, Corp. J. J. Callahan, Trptr. Julius Helmer, Private Eli U. T. Clair.

COMPANY I

Col. M. W. Keogh, Lieut. J. E. Porter (the body of Lieutenant Porter was not found, but it is reasonably certain he was killed); First Sergts. F. E. Varden and J. Burtand; Corps. John Wild, G. C. Morris and S. T. Staples; Trptrs. J. M. Gucker and J. Patton; Blacksmith H. A. Bailey; Privates J. E. Broadhurst, J. Barry, J. Connors, T. P. Downing, Mason, Blorm, Meyer; Trptrs. McElroy and Mooney; Privates Baker, Boyle, Bauth, Conner, Daring, Davis, Farrell, Hiley, Huber, Hime, Henderson, Henderson, Leddison, O'Conner, Rood, Reese, Smith 1st, Smith 2d, Smith 3d, Stella, Stafford, Schoole, Smallwood, Tarr, Vaugant, Walker, Bragew, Knight.

COMPANY F

Capt. G. W. Yates; Second Lieut. W. Van Rieley; First Sergt. Kenney; Sergts. Nursey, Vickory and Wilkinson; Corps. Coleman, Freeman and Briody; Farrier Brandon; Blacksmith Manning; Privates Atchison, Brown 1st, Brown

2d, Bruce, Brady, Burnham, Cather, Carney, Dohman, Donnelly, Gardiner, Hammon, Kline, Krianth, Luman, Losse, James Milton, Madson, Monroe, Ruddew, Omeling, Siefous, Sanders, Wanew, Way, Lerock, Kidey, E. C. Driscoll, D. C. Gillette, C. H. Gross, E. P. Holcomb, M. E. Horn, Adam Hitismer, P. Killey, Fred Lehman, Henry Lehman, E. P. Lloyd, A. McIchargey, J. Mitchell, J. Noshaug, J. O'Bryan, J. Parker, E. J. Pitter, Geo. Post. Jas. Quinn, Wm. Reed, J. W. Rossberg, D. L. Lymons, J. E. Troy, Charles Van Bramer and W. B. Whaley.

COMPANY G

First Lieut. Daniel McIntosh; Sergts. Edward Botzer and M. Considine; Capts. James Martin and Otto Hageman; Farrier Benjamin Wells; Trptr. Henry Dose; Saddler Crawford Selby; Privates Benjamin F. Rodgers, Andrew J. Moore, John J. McGinniss, Edward Stanley, Henry Seafferman and John Papp; Corp. George Lee; Privates Julian D. Jones and Thomas E. Meador.

COMPANY M

Sergt. Miles F. O'Hara; Corps. Henry M. Scollier and Fred Stringer; Privates Henry Gordon, H. Klotzbursher, G. Lawrence, W. D. Meyer, G. E. Smith, D. Somers, J. Tanner, H. Tenley and H. C. Voyt.

CIVILIANS

Boston Custer, Arthur Reed, Mark Kellogg, Charles Reynolds, Frank C. Mann.

INDIAN SCOUTS

Bloody Knife, Bobtailed Bull and Stab.

Total number of commissioned officers killed	14
Acting assistant surgeon	1
Enlisted men	237
Civilians	5
Indian scouts	3

Note.—An officer of Custer's regiment penciled on the margin of this account the following:

"Our march on June 24th was twenty-eight miles; leaving barracks at 11 P. M., we marched eight miles; halted at 2 A. M., 25th; again marched at 8 A. M. till 10:30 A. M. Then about noon took up our march for the attack. Up to this time we had marched about forty-eight miles."

DOCTOR PORTER'S STORY

On his return from the Custer battlefield in charge of the wounded Dr. Henry R. Porter, one of the surviving heroes of that expedition, though now called to his long home, gave a most interesting account of the battle of the Little Big Horn, so far as it related to Reno's command, and of the trip down the river with the wounded. The story written for the St. Paul Pioneer Press at the time by John A. Rea, the following extracts are made, speaking of Reno's command:

"Lieutenant McIntosh fell, and Charley Reynolds, the scout that Custer loved. Porter was beside a dying soldier. His orderly and supplies were gone, and the command was off several hundred yards. He was alone. The bullets were pruning the trees, and terrific yells were sounding the alarm of universal death. Porter left his lost patient and led his horse to the embankment that protected the woods. He was startled by Indians dashing by him within ten feet. They were rushing along the foot of the little bluff. Their aim was so direct in the line of Reno's flying battalion that Porter's presence was unnoticed. He was unarmed and his powerful black horse reared and plunged as if he were mad. Porter saw the fate that was in the immediate future if that horse escaped before he was on his back. He held on with superhuman strength. He could hold him but that was all. To gain the saddle seemed a forlorn hope. Leap after leap with the horse quicker than he. It was a brief ordeal, but in the face of death it was a terrible one. One supreme effort and half in the saddle the dusky charger bore away his master like the wind. He gained the full seat, and lying close upon his savior's neck, was running a gauntlet where the chances of death were a thousand to one. The Indians were quick to see the lone rider, and a storm of leaden hail fell around him. He had no control of his horse. It was only a half mile dash, but it was a wild one. The horse was frenzied. He reached the river in a minute and rushed up the bank where Reno had gone and was then recovering himself. The horse and rider were safe. It was destiny.

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"Porter's associate was killed and he was alone. The afternoon of the 25th, all night, throughout the 26th, the night of that date and the 27th, Porter worked as few men are ever called upon to work. He had no idea that he would get out alive, and believed every man around him was doomed. Still he was the same cool and skillful surgeon that he is today. He had a duty to perform that seldom falls to a man of twenty-six, and yet he performed it nobly. He was surrounded by the dead, dying and wounded. Men were crying for water, for help, for relief, for life. For twenty-four hours there was no water. The sun was blazing hot, the dead horses were sickening, the air heavy with a hundred smells, the bullets thick, the men falling and the bluffs for miles black with jubilant savages.

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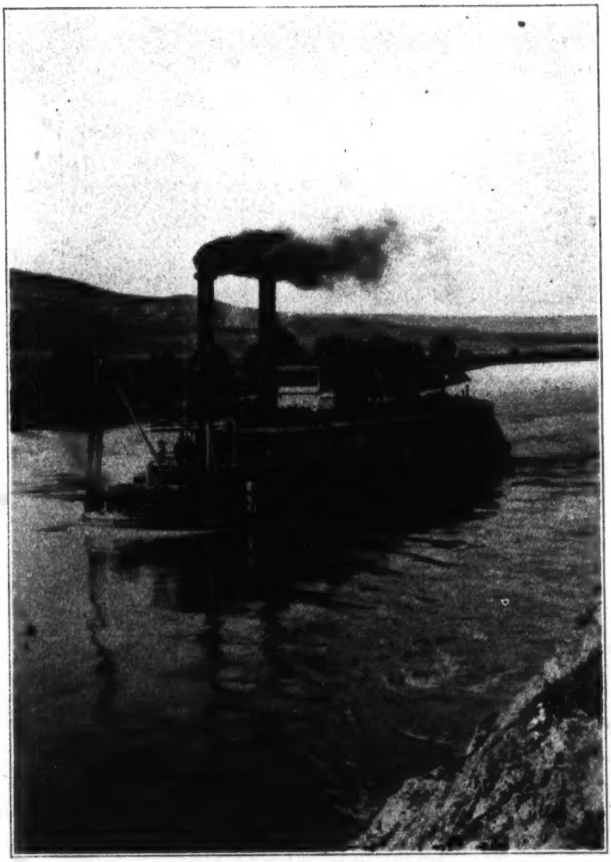
A LIGHTNING STEAMBOAT RIDE

"The steamer 'Far West' was moored at the mouth of the Little Big Horn. She was the supply boat of the expedition and had made her way up the Big Horn farther than any other boat. She had performed one exploit unprecedented in western river navigation in reaching the mouth of the Little Big Horn, and was ready to perform another feat unequaled in steamboating in the West. The wounded were carried on board the steamer and Doctor Porter was detailed to go down with them. Terry's adjutant general, Col. Ed Smith, was sent along



STEAMER FAR WEST

with the official dispatches, and a hundred other messages. He had a traveling bag full of telegrams for the Bismarck office. Capt. Grant Marsh of Yankton was in command of the 'Far West.' He put everything in the completest order and took on a large amount of fuel. He received orders to reach Bismarck as soon as possible. He understood his instructions literally and never did a river man obey more conscientiously. On the evening of July 3d the steamer weighed anchor. In a few minutes the 'Far West,' so fittingly named, was under full head of steam. It was a strange land and an unknown river. What a cargo on that steamer. What news for the country. What a story to carry to the Government, to Fort Lincoln, to the widows.

"It was running from a field of havoc to a station of mourners. The 'Far West' never received the credit due her. Neither has the gallant Marsh. Nor the pilots David Campbell and John Johnson. Marsh, too, acted as pilot. It required all of their endurance and skill. They proved the men of emergency. The engineer, whose name is unknown to me, did his duty. Every one of the crew is entitled to the same acknowledgment. They felt no sacrifice was too great upon that journey, and in behalf of the wounded heroes.

"A very moderate imagination can picture the scene on that floating hospital. There were wounds of every character and men more dead than alive. The suffering was not terminated by the removal from the field to the boiler deck. It continued and ended in death in more than one instance before Fort Lincoln was hailed. Here again the son of N. Y. Mills, of the Empire state, was tested. Porter watched for the fifty-four hours. He stood the test.

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"The bold captain was taking chances, but he scarcely thought of them. He was under flying orders. Lives were at stake. His engineer was instructed to keep up steam at the highest pitch. Once the steam gauge marked a pressure that turned his cool head and made every nerve in his powerful frame quiver. The crisis passed and the 'Far West' escaped a fate more terrible than Custer's. Once a stop was made and a shallow grave explained the reason. Down the swift Yellowstone, like shooting the Lachine Rapids, every mile a repetition of the former! From the Yellowstone into the broad Missouri, and then there was clear sailing. There was a deeper channel and more confidence. A few minutes were lost at Buford. Everybody at the fort was beside himself. The boat was crowded with inquirers, and their inquiries were not half answered when the steamer was away. At Berthold a wounded scout was put off, and at Fort Stevenson a brief stop to tell in a word what had happened. There was no difference in the speed from Stevenson to Bismarck. The same desperate gait was kept up to the end. They were approaching home with something of that feeling which always moves the human heart. At 11 o'clock on the night of July 5th they reached Bismarck and Fort Abraham Lincoln.

"Doctor Porter and Colonel Smith hurried from the landing up town, calling up the editor of the Tribune and the telegraph operator. The latter, J. M. Carnahan, took his seat at the key and scarce raised himself from his chair for twenty-two hours. He, too, was plucky, and what he sent went vibrating around the world in history."

And the news was carried to the stricken families at Fort Lincoln. Imagine their grief, if you can; their sobs, their flood of tears. The grief that knew no consolation. The fearful depression that had hung over the fort for the past two days had its explanation then. It was almost stifling. Men and women moved anxiously, nervously straining their eyes for the expected messenger, listening as footsteps fell. There was whispering and excitement among the Indian police. There were rumors of a great battle. Those who saw the Indians and witnessed their movements knew that something unusual must have happened. But what? Who would not have given worlds to know just why all this excitement among the Indians. Fleet-footed warriors, mounted on still fleeter animals, aided perhaps by signals, had brought the news to them even before the arrival of the "Far West," but no white man knew. That it brought joy to them was reason enough for depression among the whites.

A few more battles, a few more skirmishes, a treaty or two, and the Sioux warriors gave up the unequal contest. The superiority of the white man will never be acknowledged by the Indian, but he bows to the powers which have subdued him.

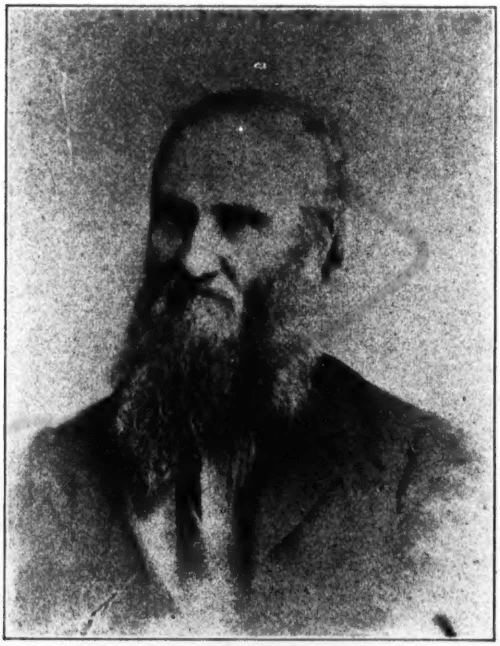
INDIAN TREATIES

At the very beginning of the life of the United States, it not only became its policy, but a necessity, to treat with the Indians. They contributed in no small degree to the success of the Revolution. The first formal treaty was with the Delawares, September 17, 1778, when all offenses or acts of hostility by one or either of the contracting parties were mutually forgiven and buried in the depths of oblivion, never more to be had in remembrance, and each agreed to assist the other if either should be engaged in war, the Delawares agreeing to furnish warriors for the then prevailing struggle.

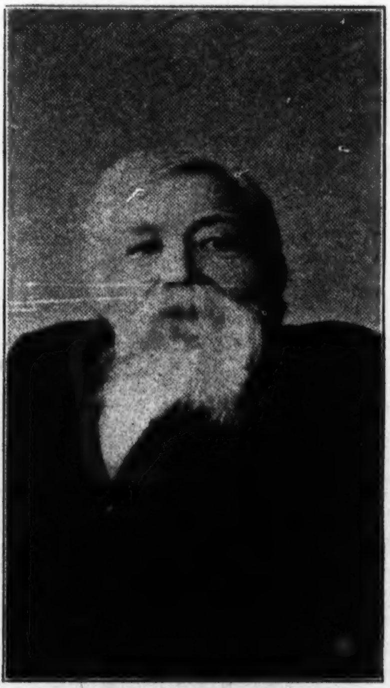
October 22, 1784, the United States gave peace to the Senecas, Mohawks, Onondagas and Cayugas, receiving them under its protection, requiring hostages, however, for the safe return of white and black prisoners held by the Indians. In 1785 treaties were made with the Wyandottes and Cherokees, and in 1786 with the Choctaw, Chickasaw and Shawnee Indians; with the Creeks in 1790; with the five nations in 1792; with the Oneidas in 1794; with the seven nations in Canada in 1796; with the Sauk and Foxes in 1804, and with the Osage November 10, 1808, the latter being the first of direct interest to the Dakotas.

The next treaty bearing upon the Dakotas was with the Chippewas also in 1808. It was made by Governor Hull, of Michigan Territory, on the part of the United States, and with the Chippewas, and other tribes northwest of the Ohio River, extending to the Great Lakes, the home of the Chippewas.

William Clark, July 18, 1815, made a treaty of peace and friendship with the Tetons, in which it was agreed that every act of hostility should be mutually forgiven and forgot, and perpetual peace and friendship was pledged; the Tetons acknowledging the sovereignty of the United States. The next day a similar treaty was made with the "Sioux of the Lakes," and with the Yankton Sioux. Other treaties followed with the Osage and other tribes involved in the war of 1812, William Clark, Ninian Edwards and Auguste Chouteau usually representing the United States. Many previous treaties, broken before or during the war, were replaced by others, and apparently a new era was entered. Other treaties followed, which have been mentioned in earlier chapters.



CHARLES CAVILEER
First settler in North Dakota, 1851



JEAN BAPTISTE BOTTINEAU

October 10, 1865, Governor Edmunds, of Dakota, concluded a treaty at Fort Sully with the Minneconjous, with a view of protecting the settlements in Dakota. Edward B. Taylor, Maj. Gen. S. R. Curtis, H. H. Sibley, Henry W. Reed and Orrin Gurnse acted with Governor Edmunds. This treaty provided for an overland route through the great Sioux reservation for which the Indians were to receive $10,000 annually for twenty years. The same parties negotiated a treaty at the same time with the Lower Brule band, the Sansarc, Uncpapa, Yanktonais and other Sioux bands for the same purpose. February 19, 1867, the Wahpetons and Sissetons ceded the right to construct wagon roads, telegraph lines, etc.

After the treaty of 1868, made with General Sherman and associates, that of 1876 made by George W. Manypenny, Rt. Rev. Henry B. Whipple, Jared W. Daniels, Albert G. Boone, Henry W. Bullis, Newton Edmunds and Augustine S. Gaylord was next in importance. It was the good fortune of the writer of these pages to have been present at this treaty, to have heard the bitter complaints of the Indians and their pleas for justice, and to have witnessed their utter hopelessness, excepting as they had faith in Bishop Whipple and Newton Edmunds, their tried and true friends. Here was an attempt in good faith to benefit the Indians.

September 20, 1872, Moses N. Adams, William H. Forbes and James Smith, Jr., negotiated with Gabrielle Renville, head chief of the Sissetons, and others, for all of their lands in Dakota excepting certain restricted reservations at Lake Traverse and Devils Lake. This was amended May 2, 1873, and under that amended treaty all question was removed as to the title to certain lands in the Red River Valley, and the lands about Fargo became free public lands.

In October, 1882, Hon. Newton Edmunds, Judge Peter C. Shannon and James H. Teller, negotiated a treaty with the Sioux at their various agencies in which they agreed to divide up their reservation and looking to the allotment of land in severalty. They were also to be provided with a farmer to instruct them, and with schools and other advantages.

By the act of March 2, 1889, there were further changes made in the Sioux reservation, opening a small portion of the reservation in North Dakota, and confirming by law other portions. Allotments were provided for and citizenship, when they should take lands in severalty, and Indians were given preference for employment on reservation.

The Turtle Mountain reservation was created by executive order of December 21, 1882. Two years later it was limited by executive order to the two townships now occupied by them. July 13, 1892, a commission was provided for by act of Congress to treat with the Turtle Mountain band for their removal, and the extinguishment of the Indian title to lands claimed by them. The commission created under this act is known as the McCumber commission, and resulted in the payment of a large sum for their alleged rights to other lands. The two townships reserved for them by executive order, was wholly allotted to them, and other members of the tribe were provided for on other public lands, some of them settling in Montana, and others in the Missouri River region in North Dakota.

In 1886, J. V. Wright, Jared W. Daniels and Charles F. Larabee, negotiated a treaty with the Berthold Indians, who relinquished a considerable portion of their reservation, and defining that remaining, providing for the allotment of lands, for rewards for industry, etc. This agreement was confirmed by act of Congress, March 3, 1891 (20 Stat. 1032).

Wise and wholesome laws have been enacted for the government of the Indians, for protection of their persons and property; for the education of their children; and in every possible way to uplift them. Lands claimed by them are protected from the encroachments of the whites, if they have any improvements on them of any value whatever, and the Government will incur any necessary expense in defending them. They are wards of the Nation. The act of February 8, 1887, provides for their becoming citizens when they shall have selected land in severalty, throwing around them all of the guards pertaining to citizenship, and giving them all of its rights, while protecting their homes from alienation for a period of twenty-five years.

From the adoption of the Articles of Confederation it became the fixed policy of the United States to protect the Indians in their rights to the land occupied or claimed by them. By clause IX of the articles it was agreed that the United States, in Congress assembled, should have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states, provided that the legislative rights of the state within its own limits be not infringed or violated.

By the proclamation of September 22, 1783, all persons were prohibited from making settlement on lands inhabited or claimed by the Indians, without the limits or jurisdiction of any particular state, and from receiving any gift or cession of such lands or claims, without the express authority and direction of the United States. The Constitution of the United States provided for the regulation of commerce with the Indians and for their care through its general provisions.

The Indians were dealt with by treaty until the act of March 3, 1871, which provided that no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe or power, with whom the United States may contract by treaty, thus changing the policy which had prevailed since the treaty with the Delawares September 17, 1778.

The only excepion to this rule was in the treatment of the Sioux after the Indian outbreak of 1862. The treaty with them was held to be void, their annuities were refused, but they were later provided for through the Great Sioux and other reservations. The United States claimed their lands by right of conquest.

Some twelve hundred to fifteen hundred of the Wahpeton and Sisseton Sioux, who aided the whites during the outbreak, jeopardizing their lives to protect the whites, and to obtain possession of the white women and children made captives by the hostile bands, and another group of one thousand to twelve hundred, who fled to the plains, fearing the indiscriminate vengeance of the whites, were granted the fairest and best portion of North Dakota by the treaty of February 19, 1867, the land so granted extending from Goose Creek to Watertown, S. D., conflicting, however, with the Chippewa cession extending to the Sheyenne. There were included in this grant the specific reservations of Lake Traverse and Devils Lake. By recent legislation that portion of the reservation not occupied by Indians has been opened to settlement, the settlers paying their appraised value, the money so paid being set aside by the Government for the benefit of the Indians.

In the early cessions of lands by the Indians, covering the fertile regions of Iowa, South Dakota and Minnesota, 10 cents an acre was regarded a fair price to pay for the lands, but under the treaty of 1876, the Sioux were allowed $1.25, 75 and 50 cents per acre, depending upon the time of entry; the Wahpeton and Sisseton Indians were allowed $2.50 per acre for the Lake Traverse reservation and the Devils Lake Indians as high as $4.50 per acre for their lands. The Fort Berthold Indians were allowed $1.50 per acre for that part of their reservation surrendered, and have reason to expect a much larger sum for the portion they are now asked to give up. The Yankton Sioux received $3.75 per acre for their reservation. Some of the Fort Berthold lands have sold at $6 per acre.

The following recapitulation may be found of interest: The lands in North Dakota along the Red River were ceded by the Red Lake and Pembina bands of Chippewa Indians on October 2, 1863 (13 Stat., 667), and on September 20, 1872 (Rev. Stat., 1050), the Wahpeton and Sisseton Sioux ceded the remainder of the Red River Valley, and the country extending west to the James River and Devils Lake.

By executive order of July 13, 1880, the country north of the Heart and south and west of the Missouri to a point about twelve miles west of Dickinson was restored to the public domain. A further portion of the Fort Berthold reservation was opened to settlement March 3, 1891 (26 Stat., 1032). The Lake Traverse reservation was opened to settlement March 3, 1891 (26 Stat., 1038); the Devils Lake reservation was restored by the President's proclamation of June 2, 1904, under the act of April 27, 1904. The Standing Rock reservation was opened to settlement under the President's proclamation of August 19, 1909. The Great Sioux reservation, not included in special reservations, was disposed of under the act of March 2, 1889 (25 Stat., 888).

The Fort Rice military reservation was turned over to the Interior Department by the War Department on July 22, 1884; the Fort Abraham Lincoln reservation was turned over to the Interior Department March 19, 1896; the Fort Stevenson reservation was turned over to the Interior Department February 12, 1895, and the lands were sold at public sale October 2, 1901, under the act of July 5, 1884. The Fort Buford reservation was turned over to the Interior Department October 25, 1895, and disposed of under the act of May 19, 1900 (31 Stat., 180). The Fort Pembina military reservation was turned over to the Interior Department November 27, 1895, and sold at public sale April 2, 1902, under the act of July 5, 1884, some of the lands bringing as high as $20 per acre. Fort Abercrombie reservation was opened to settlement by act of Congress July 15, 1882, and Fort Seward reservation by act of Congress June 10, 1880.

CHAPTER XXII

TRANSPORTATION DEVELOPMENT

THE NORTHERN PACIFIC RAILROAD, ITS HISTORY, PROMOTERS AND CONSTRUCTION—BEGINNING OF AGRICULTURAL DEVELOPMENT—EXTENSIONS, BISMARCK AND OTHER TOWNSITES—FORT ABRAHAM LINCOLN ESTABLISHED—THE GREAT NORTHERN RAILROAD—CONDITIONS CONTRASTED—JAMES J. HILL'S HISTORY OF THE GREAT NORTHERN ENTERPRISE—JAMES J. HILL—THE EARLY TRANSPORTATION INTERESTS OF THE RED RIVER VALLEY.

March 3, 1853, Jefferson Davis, then secretary of war, and later president of the southern confederacy, procured the passage of a resolution by Congress authorizing him, as secretary of war, to make such explorations as he deemed advisable to ascertain the most practicable route for a railroad from the Mississippi River to the Pacific Ocean. Under this resolution three expeditions were organized, one to survey a southern, one a central, and the other a northern route. The eastern end of the northern route was placed in charge of Maj. Isaac I. Stevens, and the western in charge of Lieut. George B. McClellan, afterwards a distinguished Union officer during the War of the Rebellion, and in 1864 the democratic candidate for President of the United States. At the time of his appointment Major Stevens was chairman of the national democratic committee and prejudiced against the northern route.

Isaac Ingalls Stevens, a native of Andover, Mass., was a graduate of West Point, class of 1839. He was an adjutant on the staff of General Winfield Scott during the war with Mexico, 1847-48, and was severely wounded in the attack on the City of Mexico. When placed in charge of this route he had resigned from the army, and was appointed governor of Washington territory. He was delegate to Congress from that territory from 1857 to 1861, and at the outbreak of the War for the preservation of the Union re-entered the military service as a volunteer, and was commissioned colonel of the Seventy-ninth New York Highlanders. He accompanied General William Tecumseh Sherman on the Port Royal Expedition of 1862, was promoted major-general July 4th of that year, and—dying at the age of 44—on the 1st September following fell at the battle of Chantilly, waving the flag at the head of his division.

A southern route to the Pacific had long been a favorite scheme of the leading men of the south with a view to strengthening the predominating influence of that section in the National Government against possible northern development.

Edwin F. Johnson, a distinguished engineer, who, as early as 1836, had projected the Erie Railroad from New York to the lakes, and who had been connected with the construction of the Erie Canal, had accumulated much data from

MAX BASS
Great Northern immigration agent.

army officers, traders and trappers in relation to the northern route. In 1852 he was chief engineer of the Chicago, St. Paul & Fond du Lac Railroad, now the Northwestern, and Thomas H. Canfield of Burlington, Vt., was engaged on the work of building that line as a contractor. Mr. Johnson had previously interested Mr. Canfield in a proposed Northern Pacific scheme. There was then no railroad entering Chicago from the East. The supplies for the construction of this new northwestern road were shipped by lake from Buffalo to Chicago.

In 1852 Mr. Johnson prepared an exhaustive treatise on the subject of a railroad connecting the Mississippi with the Pacific Ocean, which he later published at the expense of Mr. Canfield and his partner. An extended map accompanied this publication and the advantages of a northern route over the central and southern route were clearly presented. Hon. Robert J. Walker, then secretary of the treasury of the United States, was a director of the Chicago, St. Paul & Fond du Lac Railroad, with which Johnson and Canfield were connected. Mr. Walker had seen the manuscript of the Johnson pamphlet and had so impressed Mr. Davis, associated with him in the cabinet, in relation to it, that Mr. Davis went to New York to secure information concerning it. He procured the manuscript and after reading it returned to New York and endeavored to convince Mr. Johnson that he was in error in giving preference to the northern route. Failing in this, he procured the passage of a resolution by Congress authorizing the survey of the three routes. The appointment of Stevens and McClellan to make the survey of the northern route was intended by him to settle the question in favor of the southern route.

McClellan justified his expectation; Stevens did not. Stevens secured from President Pierce the appointment as governor of Washington and devoted the remainder of his life to presenting to the public the importance of the construction of the Northern Pacific Railroad, enlightening them as to the wonderful resources of the regions to be traversed by it.

The panic of 1857 intervened, and in 1861 the War of the Rebellion. Resulting from the war, the construction of the Union Pacific Railroad became a necessity, and the interests of the northern route were overshadowed by the greater public interests then demanding attention. The Union Pacific Railroad Company was incorporated by act of Congress July 1, 1862. Lands were granted, and also a subsidy in bonds, in order to promote the construction of the road at the earliest possible date. July 2, 1864, the Northern Pacific Railroad Company was incorporated by act of Congress. It was granted lands to the extent of forty sections to the mile in the territories and twenty in the states, but a money subsidy was denied. July 27, 1866, the Atlantic & Pacific Railroad Company was incorporated by a similar act of Congress and to it a like grant was made. A similar grant was made to the Southern Pacific, incorporated under the laws of California, and that company was authorized to connect with the Atlantic & Pacific and to extend its line to San Francisco.

When the war broke out, in 1861, the control of the railroads by the Government became a military necessity. Thomas A. Scott of the Pennsylvania Railroad, afterwards the leading promoter of the Southern Pacific Railroad, became assistant secretary of war, and had particular charge of the movement of the armies by rail. He placed Thomas H. Canfield of Vermont in charge of the railroads about Washington, and to his management was in a large measure due the successful prosecution of the war. Canfield was one of the incorporators of the Union Pacific Railroad, but from the beginning had been a consistent and persistent advocate of the northern route and became one of its incorporators. Among the incorporators were M. K. Armstrong, J. B. S. Todd and J. Shaw Gregory of Dakota, and Cyrus Aldrich, H. M. Rice, John McKusic, H. C. Waite and Stephen Miller of Minnesota.

Josiah Perham of Maine had been the leading character in securing the charter for the construction of the Northern Pacific Railroad. Congress having denied a subsidy in money to aid in the construction, the charter was likely to fail, when the active services of Mr. Canfield were enlisted, and through his efforts a syndicate was formed consisting of J. Gregory Smith of St. Albans, Vt., president of the Vermont Central Railroad; Richard D. Rice of Augusta, Maine, president of the Maine Central Railroad; Thomas H. Canfield of Burlington, Vt.; W. B. Ogden of Chicago, Ill., president of the Chicago & Northwestern Railroad; Robert H. Berdell of New York, president of the Erie Railroad; Danforth N. Barney of New York, president of the Wells, Fargo & Co. Express Company; Ashel H. Barney of New York, president of the United States Express Company; Benjamin P. Cheney of Boston, president of the United States & Canada Express Company; Wm. G. Fargo of Buffalo, N. Y., vice president of the New York Central Railroad and president of the American Express Company; George W. Cass of Pittsburgh, Pa., president of the Pittsburgh, Fort Wayne & Chicago Railroad Company; J. Edgar Thompson of Philadelphia, Pa., president of the Pennsylvania Railroad Company, and Edward Reiley of Lancaster, Pa., for the purpose of securing the construction of the road. Later a division of the above interests occurred by which Jay Cooke & Co., Charles B. Wright and Thomas A. Scott of Philadelphia, Frederick Billings of Woodstock, Vt., and William Windom and William S. King of Minnesota became identified with them, and to these men belongs whatever credit is due for carrying to successful completion this great enterprise. The agreement between the original twelve of these parties was signed January 10, 1867. An arrangement with Jay Cooke & Co. for financing the road was made by Messrs. Canfield, Smith, Ogden and Rice, in May, 1869, conditioned upon a favorable report of Mr. Cooke's representatives after a personal inspection of the route. Mr. Canfield took charge of the party, consisting of W. Milnor Roberts, engineer, Samuel Wilkinson, William G. Moorhead, Jr., Rev. Dr. Claxton and Wm. Johnson, a son of Edwin F. Johnson, for the exploration of the western end of the line. Mr. Smith and Mr. Rice conducted a similar party for the exploration of the eastern end. Both parties reported favorably and soon afterwards the work of construction commenced.

In 1870 Mr. Canfield, accompanied by J. Gregory Smith, went to the line of the road and selected the crossing of the railroad at Brainerd, Minn., laid out the Town of Brainerd, planned for the location of the shops and located the Red River crossing at Fargo. Mr. Canfield returned the next spring and located Moorhead and Fargo, and in May, 1872, located the Missouri River crossing of the road and the Town of Bismarck, at first called Edwinton, in honor of Edwin F. Johnson, and later Bismarck, for the purpose of attracting German capital in the completion of the enterprise.

The Southern Pacific Railroad interests, headed by Mr. Scott, bitterly antagonized the construction of the Northern Pacific and on July 1, 1868, the charter was saved through the influence of Hon. Thaddeus Stevens of Pennsylvania and Jacob M. Howard of Michigan by an amendment to the bill providing an extension of time to the Northern Pacific Company. The charter would have expired the next day.

January 1, 1872, the first rail was laid within the limits of North Dakota, the road having crossed the Red River at Fargo at that time. In June, 1873, it was completed to Bismarck, and ten years later the completion of the line was celebrated. Sitting Bull, who attacked the surveyors in June, 1873, when they attempted to extend the survey westward from Bismarck, and who attacked and destroyed Custer's command on the Little Big Horn in June, 1876, accompanied by many of his warriors, one of whom carried the United States flag in the procession which welcomed General Grant and others at the laying of the cornerstone of the capital at Bismarck in September, 1883.

Edwin F. Johnson conceived the idea of the construction of the Northern Pacific Railroad. At the office of Thomas H. Canfield, at Burlington, Vt., he planted the enthusiasm and aroused the energy in the breast of that young enthusiast, which organized the forces and pushed the work to completion. It was largely Canfield's work which procured the charter; his work that saved it; his that organized the syndicate which finally built it, and his that enlisted Jay Cooke in the enterprise. He was personally identified with the location and upbuilding of all of the towns on the Northern Pacific east of the Missouri River during the days of construction. After the work was over he settled down to farming at Lake Park, Minn., and remained until his death a leading force in the development of the agricultural interests of the Northern Pacific region.

The great financial concern of Jay Cooke & Co., which had negotiated the bulk of the Government loans during the Civil war, was forced into bankruptcy by reason of its connection with the construction of the Northern Pacific Railroad, and the panic of 1873 resulted therefrom. The bonds of the Northern Pacific which had been so recently placed at nearly par fell to 8 cents on the dollar, sweeping away the fortunes of thousands who had invested their all in the securities of the company. But their loss only led to the prosperity of others, for the bonds were picked up and converted into land and the land converted into farms. The leading spirits in the syndicate which constructed the road turned their attention to the development of the agricultural interests of the country through which the road was to pass. This was especially true of George W. Cass and P. B. Cheney, who were the promoters of the Dalrymple farms embracing not only the Cass and Cheney and the Dalrymple farms in Cass County, but the Grandin farms in Traill County. They furnished the means and pointed the way. Oliver Dalrymple had the experience and the opportunity. He developed the farms.

The rapid development of the Red River Valley led to the extension of the St. Paul & Pacific Railroad line, now known as the Great Northern, down the Red River Valley, and ultimately across the state and on to the Pacific Coast. The Black Hills gold excitement and the transportation connected with the Indian campaigns built up a thriving city at Bismarck, which had secured the location of the capital of the territory even before the completion of the Northern Pacific.

The Lake Superior & Puget Sound Townsite Company was organized as a Northern Pacific auxiliary, and was supposed to embrace all of the available sites between Lake Superior and Puget Sound. Brainerd, at the crossing of the Mississippi, had yielded its harvest of gold to that company, and the crossing of the Red River and the Missouri were next in turn.

A land office had been established at Pembina in 1870, and settlement was expected to rush for the fair land of the Red River Valley about to be opened. Only an Indian title remained to be extinguished. A few Scandinavians from Goodhue County, Minn., had gone ahead of the surveys, and had located on the Red River, the Maple and the Sheyenne. There were three or four at what is now Fargo. The land at Moorhead had been deeded and there was a stage station there kept by Maj. Wm. Woods. The land deeded at that point was owned by J. B. Smith, having been entered by him under the preemption act. The land at Fargo was not subject to entry, the Indian title not having been extinguished. An attempt, however, was made to enter by scrip.

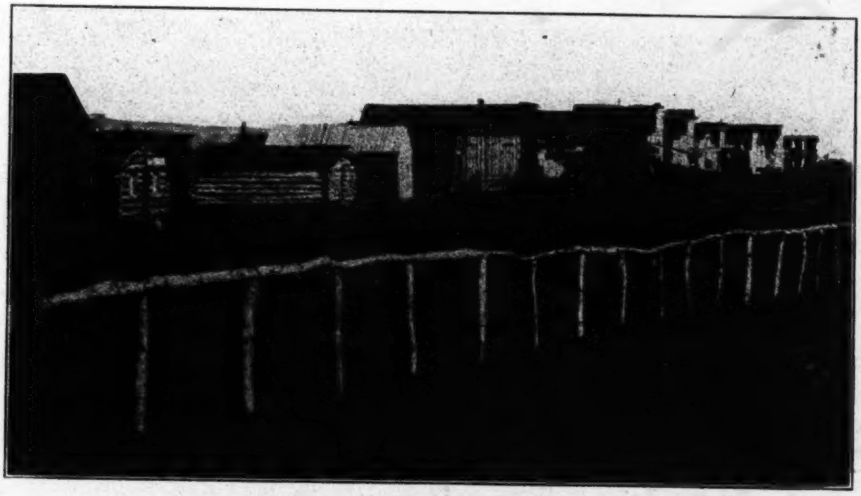
In 1869 it was the purpose of the Northern Pacific directors to cross the river at or near what is now Grandin, striking the Missouri River at the Big Bend, and following up that steam to Fort Benton. And in accordance with that plan the location of the bridge across the Red River was staked at Elm River, or Grandin, and a settlement of townsite speculators gathered at that point. The plan, however, was changed in the spring of 1870, and a fake line was staked to a point near Moorhead, known as Oakport. Here a bright little village of temporary structures sprang up.

When the location of the crossing was definitely located Mr. Andrew Holes was employed to make settlement on the farm where James Holes long resided, and was dispatched to purchase the land embracing the townsite of Moorhead, which he succeeded in doing. In the meantime the several settlers were bought off at an expense of $1,000 to $1,500 each and on the night of June 25, 1871, George G. Beardsley was engaged in making improvements on the several quarter sections which the townsite company intended to scrip, and J. B. Power, then a clerk in the surveyor general's office in St. Paul, was sent to Pembina to make the scrip locations for Fargo.

By the 5th of July, 1871, the townsite settlers who had been watching opportunity and the movements of the Puget Sound company people for a year or more had learned the facts and made a rush for Fargo. G. J. Keeney, Patrick Davitt, S. G. Roberts, Andrew McHench, Charles Roberts, J. Lowell, Harry Fuller, George G. Sanborn and others made homestead locations on the grounds which the townsite company had undertaken to scrip. The Indian claim having been extinguished later, it was held that the settlers had preference over the scrip locations, and the townsite company withdrew its claims, and left the settlers in undisturbed possession of the even sections, while the odd fell to them through the railroad grant. John E. Haggart, Newton Whitman and others filed on agricultural claims in the vicinity and became substantial farmers. James Holes secured the claim settled upon by Andrew Holes and became the first in North Dakota to engage in agriculture for a living. He opened up the first farm in North Dakota aside from the small tracts in the Pembina settlement or in connection with the Hudson's Bay Company posts.

Moorhead was named for W. G. Moorhead of the Northern Pacific directory, and Fargo for Hon. W. G. Fargo of the Wells-Fargo Express Company.

At that time St. Paul had about fifteen thousand population and Minneapolis



MAIN STREET, BISMARCK, 1872-3
The place was then called Edwinton

INDIAN TRAVOIS

ten thousand, and it was believed that Moorhead and Fargo would make towns of equal importance. They were located by Thomas H. Canfield, as agent of the Puget Sound Company, aided by George B. Wright, a civil engineer in the employ of the Northern Pacific Railroad Company, and the point of crossing the river was determined by them.

After Fargo attention was centered on the Northern Pacific crossing of the Missouri. John J. Jackman, who had been with the surveying party, knew the exact location of the proposed crossing. He induced James J. Hill to finance a scheme to obtain the townsite at that point. He formed a party consisting of himself, John H. Richards, George G. Sanborn, Emer N. Corey and Maj. William Woods, and they made a race for the location with the representatives of the Puget Sound Company, who had learned of their purpose. Jackman won, and settled on the claim selected for the townsite. The other parties took adjoining land, forcing the Puget Sound Company entirely away from the land they intended to enter. Other parties contested the location and some five years litigation followed, resulting in the final entry of the land by the corporate authorities for the benefit of the occupants, and the Puget Sound Company was again defeated. As the result of a compromise the Northern Pacific Company agreed to establish their shops at Bismarck, but failed to make good their contract.

On reaching the Missouri River a false line crossing that stream at the mouth of the Heart River was locàted. Camp Greene had been established on the west side of the Missouri River by the military authorities; on the east side, at "Pleasant Point," opposite Camp Greene, a thriving little city was built called Carleton City, which continued as a place for saloons and worse institutions for some years, to catch the soldier trade from Fort A. Lincoln, which was subsequently established.

To further mislead as to the proposed location of the crossing of the Missouri River, the road was actually graded to a place called Burleigh City, nearly a mile south of Bismarck, and graded some distance on the flat because Doctor Burleigh's contract called for grading to the Missouri River.

In 1873 the grade was changed to follow the bench and the road was completed to the point where eight years later the road crossed the Missouri River.

Bismarck was surveyed in the interest of the Lake Superior & Puget Sound Townsite Company in May, 1872, and in order to make sure of holding the property they employed, through George W. Sweet, attorney, men to make location on then unsurveyed public land. The plat was filed February 9, 1874, in the office of the register of deeds in Burleigh County.

Soon after the survey was commenced, and before its completion, Sweet, as the agent of the said company, commenced to sell lots by the numbers indicated upon the plat filed, a certified copy of which is presented in the case. The parties purchasing immediately commenced the erection of buildings upon their lots, for dwellings and business purposes.

On the 1st of January following thirty buildings had been erected upon the site so selected, and were then occupied. During the year 1873 about one hundred buildings of various kinds were built. The population steadily increased, buildings continued to be erected until, at the date of the hearing before the local officers, May 15, 1875, the number of inhabitants of said city was estimated at nine hundred, and the improvements made were valued at from one to two hundred thousand dollars.

October 27, 1874, John Bowen, probate judge of Burleigh County, filed a declaratory statement for the N. ½ of said section 4, in trust for the use and benefit of the inhabitants of the City of Bismarck.

January 14, 1875, said city was duly incorporated by an act of the Legislature of Dakota Territory, and the following described tracts were included in its corporate limits, to wit: The N. W. ¼ and the W. ½ of the N. E. ¼ of section 4, the N. ½ of section 5, and that portion of section 6 which lies east of the Missouri River, T. 138 N., R. 89 W., the N. ½ of section 31, lying east of said river, and all of the S. ½ of sections 32 and 33 of T. 139 N., R. 80 W., in said territory.

May 15, 1875, John A. McLean, mayor of the City of Bismarck, made an application at the local office to enter, in behalf of the inhabitants of said city, the N. W. ¼ and W. ½ of N. E. ¼ of section 4, N. E. ¼ of N. E. ¼ of section 5, T. 138 N., R. 80 W., and the S. ½ of S. E. ¼ and S. ½ of S. W. ¼ of section 32, T. 139 N., R. 80 W., Dakota Territory.

This application was objected to by Edmund Hackett et al., on the ground that they have rights to said tracts by reason of their preemption settlements thereon and for other reasons.

Assistant Secretary Chandler, before whom the townsite case went on appeal, in closing his review of the case, held:

I am of the opinion that where a specific tract of land is designated and chosen, a part of which is surveyed into lots, blocks and streets, which, together with its exterior boundaries, are marked by stakes of proper monuments, and said acts are followed by settlement, improvements and occupation within a reasonable time, such tract must be considered as selected within the meaning of the law, and thereby excluded from preemption filing.

I am also of the opinion that this selection may be made before or after actual settlement, and by persons associated together for that purpose, or drawn together by a common interest.

Before entry can be made of the land, it must appear that the selection was made in good faith, not for the purpose of speculation, and has been settled upon and occupied for purposes of trade, and not agriculture.

The site of the present City of Bismarck was selected because it was anticipated that at this point the Northern Pacific Railroad would cross the Missouri River. To this fact is to be attributed its rapid growth and development.

On this account, the parties who now claim, as preemptors, the lands upon which this city is built, were attracted there. They were fully cognizant of this fact when their settlements and improvements were made. You very properly rejected the entries of Hackett and Proctor, each of whom purchased, or contracted to purchase, lots of the L. S. & P. S. L. Co., after the survey was commenced or completed, and before they made settlement upon the tracts now claimed by them.

The fact that said company sought by illegal means to obtain title to the tract originally selected by it as a townsite in no way affects the rights of the occupants, in whose behalf application is now made to enter said land.

They made their settlement and improvements in good faith, and are entitled to the protection which the law provides.

The corporate authorities having included more land in their application than was originally selected as a townsite, the question arises as to what lands they are now entitled to enter for that purpose. I am of the opinion that their entry must be limited to such contiguous tracts as were included in their corporate limits, and at the date of incorporation were free from valid claims under the preemption or homestead laws. By the act of incorporation, the authority of the probate judge to act for and in behalf of the occupants of said townsite was superseded by the officers therein named, when qualified.

Neither the act of incorporation nor the application of the corporate authorities includes the E. ½ of the N. E. ¼ of section 4, a part of the tract originally selected. This tract is therefore excluded from said townsite. Valid rights had attached to the N. E. ¼ of N. E. ¼ of section 5, township 138 N., range 80 W., and the S. ½ of S. E. ¼ and the S. ½ of S. W. ¼ of section 32, township 139 N., range 80 W., at the date of the incorporation of said city, and not being originally selected as a part of said townsite, were improperly included in the application of the corporate authorities, and will be awarded to the parties entitled therein. The corporate authorities will therefore be restricted in their entry to the N. W. ¼ and the W. ½ of the N. E. ¼ of section 4 aforesaid, subject to the right of way of the Northern Pacific Railroad Company. These are the only tracts which can properly be considered as settled upon and occupied for townsite purposes under the testimony as presented, and are awarded to the corporate authorities of said city.

I have carefully considered the testimony as to the rights of the respective claimants to the other tracts included in the application of the corporate authorities, and those included in this contest, and am of the opinion that they should be awarded to the parties hereinafter named, upon their showing full compliance with the law, and hereby direct that the awards be so made, and that all other filings and entries on said tracts, and those awarded to the corporate authorities, be canceled.

The E. ½ of the N. E. ¼ of section 4, township 138 N., range 80 W., to Erastus A. Williams.

The N. E. ¼ of N. E. ¼ of section 5, township 138 N., range 80 W., to the Northern Pacific R. R. Co.

The S. W. ¼ of section 32, township 139 N., range 80 W., to J. J. Jackman.

The N. ½ of the S. E. ¼ of section 32, township 139 N., range 80 W., to John Plummer.

The S. ½ of the S. E. ¼ of section 32, township 139 N., range 80 W., to Dennis Hannefin.

FORT ABRAHAM LINCOLN ESTABLISHED

On July 2, 1864, Congress passed an act granting right of way through the Indian country to the Northern Pacific Railroad Company, entitled "An Act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Puget Sound on the Pacific Coast, by the northern route."

In 1871 orders were sent from the headquarters of the Department of Dakota to Col. David S. Stanley, commanding at Fort Rice, to fit out an expedition to accompany the engineers of the proposed railroad on a surveying tour to the

Yellowstone River. In accordance with these orders troops began to concentrate at the fort, and on September 6, 1871, the engineering party, under military escort, arrived overland from Fort Abercrombie. They were Gen. Thomas L. Rosser, assistant chief engineer, accompanied by Messrs. Meigs and Eastman, and several surveyors and their assistants.

On the morning of September 9, 1871, at 9 o'clock, the expedition left Fort Rice and wound out over the hills, the regimental band escorting the column to the foot of the hills. The military escort consisted of 500 men, a detachment of artillery with two Gatling guns, fifty mounted Indian scouts under command of Lieutenant Turnock, and a train of 100 wagons, the whole under command of General Whistler, Twenty-second Infantry.

The first courier from the expedition arrived at Fort Rice on October 14, 1871, and on the day following all the troops returned and went into camp outside the fort, except Company D of the Seventeenth, under Captain Clarke, and the engineering party who marched on down the Little Heart River to its mouth, in order to ascertain the advantages afforded by that point of crossing. On the afternoon of the 17th they were met and escorted into the fort by the post band. The engineers reported that the expedition had been a great success. That the route surveyed from the Little Heart River to the Yellowstone was practicable, and that the railroad would be built. The day ended with a grand military ball, given by the ladies of the fort, in honor of the civilian and military guests.

The spring of 1872 brought much work to the troops at Fort Rice in the way of similar expeditions on a small scale. Company after company was detailed to act as escort to the engineers who were engaged in running new lines of survey to the westward. This duty was extremely dangerous, as the Sioux, believing that these proceedings were in violation of treaty obligations, lost no opportunity to attack the expeditions.

In April, 1872, a supply camp was established for the convenience of the engineers—some three miles below the site of Fort Abraham Lincoln, at the mouth of the Little Heart River. The new post was christened Camp Greene, and K Company of the Seventeenth, under command of Lieutenant Greene, with Lieutenant Cairns and Doctor Slaughter as post surgeon, were sent up from Fort Rice to occupy the post. It was then thought that Camp Greene was to be the permanent post, then designed to be built at the crossing of the Missouri River by the railroad; but the following order establishing Fort A. Lincoln was soon afterwards issued from department headquarters:

HEADQUARTERS DEPARTMENT OF DAKOTA

ST. PAUL, April 16, 1872.

Special Orders No. 65.

A board of officers is hereby appointed to select and recommend for adoption a site for the location of a new post to be constructed on the west bank of the Missouri, at or in the immediate vicinity of the point where the Northern Pacific Railroad will cross the river.

Detail for the board—Col. D. S. Stanley, Twenty-second Infanty; Capt. J. W. Scully, A. Q. M., U. S. A.; Capt. D. W. Heap, Corps of Engineers, U. S. A.; Acting Assistant Surgeon B. F. Slaughter, U. S. A.

COLONEL HARRY BROWNSON AND CLERKS, BISMARCK AGENT, NORTHERN PACIFIC RAILROAD, 1873. COLONEL BROWNSON SEATED

EXTENSION OF THE NORTHERN PACIFIC WEST FROM FARGO

The extension of the Northern Pacific Railroad west of the Red River of the North was begun in the early months of 1872, and was completed to the Missouri River June 5, 1873. Colonel William B. Gaw, the engineer in charge in 1872, told a representative of the road: "I have got the longest straight line of road in the world; I begin at the Red River and run west, four degrees north, fifty-four miles without a curve."

On September 18, 1873, the Northern Pacific Railroad Co., failed, and its bonds, which were receivable at par in payment of lands within its land grant, forty miles north and forty miles south of its track, steadily sank in price until they touched 8 cents on the dollar. The building of the road in 1872, gradually attracted the attention of immigrants and a steady wave began to cross the Red River. They made preemption, homestead and timber culture claims on the Government sections both north and south in the land grant limits. At the same time, holders of bonds of the road bought the lands in the same limits and many farms of large and small dimensions were opened and worked, and in the fall of 1878 all the land as far west as range 55 was bought. Many selections had been made in ranges 56, 57 and 58, in Barnes County, and others steadily pressed westward through the ranges until the James River in range 64 was reached in 1879. Large bodies of lands were bought of the road by non-resident holders of its bonds. Among those may very properly be named Governor Abner Coburn and his brother, of Maine; Cooper Brothers, Henry and William Lloyd, of Pennsylvania; Williams, Deacon & Co., of London, and many others, including Pence and Snyder, of Minneapolis, who bought large tracts in what is now Foster and Ransom counties, respectively the northern and southern limits of the grant. Immigrants also from the eastern states pressed in and settled on the Government sections from the northern to the southern limits, and Addison Leech, Mr. Plath, W. W. McIlvain, D. H. Buttz, his brother John and M. L. Engle bought lands of the road in Cass and Ransom counties and began to cultivate them. Large numbers of others also besides those named did so.

In 1880 the Fargo & Southwestern Railroad was built from Fargo to the James River, eighty-eight miles, and LaMoure was made its terminus, while Davenport, Leonard, Sheldon, Lisbon and Englevale became thriving centers along its route. A year later, in 1881, the Jamestown & Northern was built to a point in Foster County forty-three miles north. Carrington was platted and rapidly grew into a thriving town while Pingree, Edmunds and Melville along its route became trade and postoffice centers for districts near them. Many farms were opened by men who bought lands of the road and others secured claims on Government sections and have lived there since; Wm. M. and Wm. A. Bartholomew, James Buchanan, Murphy Brothers, Wm. Farquhar and many others, while the Casey & Carrington Land Company opened up its farm, quite as large and important as any other large farming interest in the state.

In 1883 the Sanborn, Cooperstown & Turtle Mountain Road was built to a point thirty-six miles north, where Cooper Brothers had bought from the road a large body of lands, and Cooperstown sprang into existence and became the county seat of Griggs County. The same rapid settlement followed along this route. Odell, Dazey and Hannaford became centers of traffic. In 1882 the

James River Valley Road from Jamestown to LaMoure was built and by short extensions met the C. & N. W. and C., M. & St. P. railroads which had built from the south, and a spur track was built from Carrington to Sykeston, where Mr. Richard Sykes had bought lands and opened several large farms in Wells County. All these roads bearing separate corporate names were built as branches of the Northern Pacific and were projected by the impulse given by the rapid influx of immigrants that followed the settlement and cultivation of the lands along the main line in 1879-80.

The wave of immigration spent its force in the spring of 1883, and some idea of its extent may be formed from the following figures of Stutsman, Foster, Wells and Eddy counties, and equally strong, if not yet stronger figures could be given of the counties along the lines of the other branches if they were at hand, as the wave swept steadily and evenly over the rolling prairies west of the Red River Valley. In the census of 1880, the County of Stutsman had a population of 1,007; of this number Jamestown had 392. In the census of 1885 the county had 5,632, and of these Jamestown had 2,382.

In 1880 the present counties of Foster, Wells and Eddy had not over twenty-five settlers within their borders. In the census taken in 1885 these three counties had a population of 1,932. In 1880 there were no farms worked in these three counties. In 1885 there were 392. Some of them, notably those of Carrington & Casey and Richard Sykes were large ones, the rest varied from 160 to 640 acres.

The class of settlers who formed the wave that culminated in 1883, were generally of an excellent quality. The states of Pennsylvania, Illinois, Michigan, Wisconsin and Iowa furnished a good share of those from the eastern states. Many came from Canada, some from England and Scotland. Many townships in all the counties forming the James River Valley received colonies from Poland, others from Sweden, Norway and Denmark.

THE GREAT NORTHERN RAILROAD

Following the grant of land to the three Pacific railroads, Congress granted to the State of Minnesota ten sections of land per mile to aid in the construction of certain lines of railroad in that state, including the main lines of the Great Northern Railroad. The state had also granted certain swamp lands and a subsidy in bonds to aid in the construction. After the construction of the main line to Breckenridge, which it reached in October, 1871, beating the Northern Pacific in the race for the Red River Valley by 2½ months, and the construction of the St. Cloud line to Sauk Rapids, which it reached in 1865, the road became bankrupt and passed into the control of a syndicate organized by James J. Hill, to whom the grant was finally transferred by the State of Minnesota. The construction of the St. Cloud line was commenced in 1862, when ten miles was built from St. Paul to Minneapolis, and it was completed to Sauk Rapids in 1865. The Breckenridge line was commenced in 1867 and was completed, as stated, to Breckenridge in October, 1871. The St. Cloud line was extended from Barnesville to Fisher's Landing in 1877, and December 2, 1878, the track layers joined the rails of the Canadian Pacific, giving a through line to Winnipeg, the connection having been made from Breckenridge to Barnesville. In 1880 the road was extended from Crookston to Grand Forks, and from thence on west to the

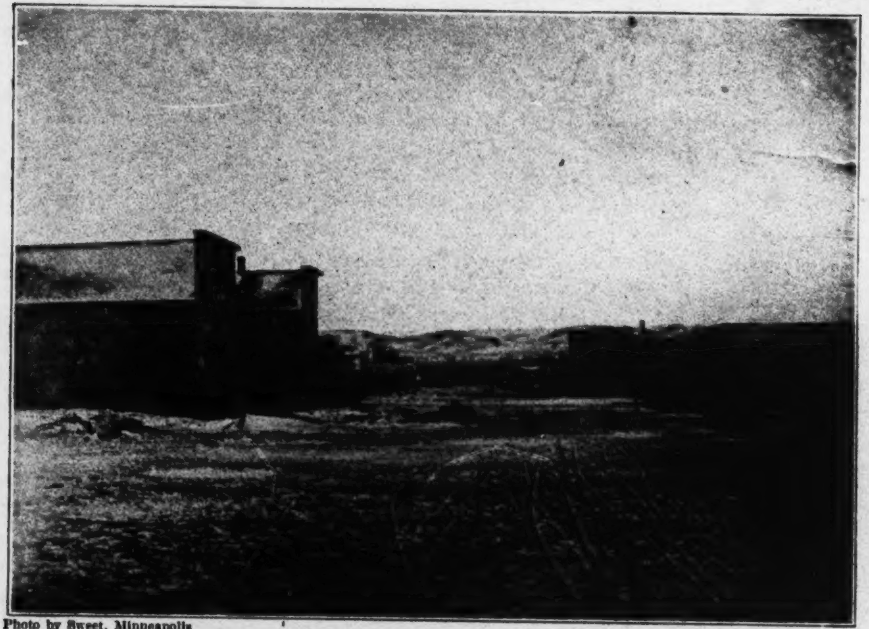
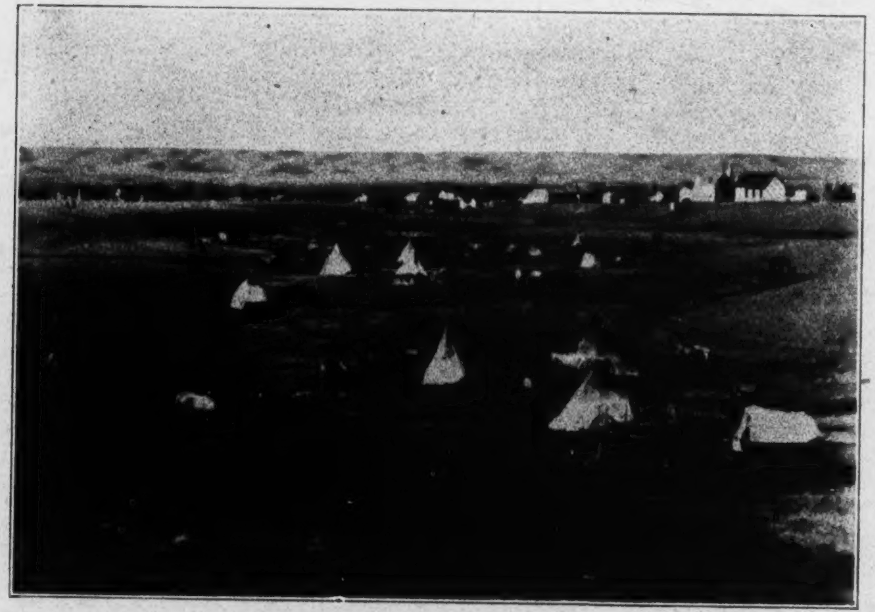


Photo by Sweet, Minneapolis

VIEW OF MINOT IN 1887



VIEW OF MINOT IN 1893
A settlement of tents

Pacific Coast by successive stages. This system was at first known as the St. Paul & Pacific, then as the St. Paul, Minneapolis & Manitoba, taking its present name, The Great Northern, in 1890.

The land grant of the Northern Pacific doubled when the road crossed the Red River; that of the Great Northern ceased when the road left the limits of Minnesota. The Northern Pacific pushed rapidly westward, relying upon its through traffic to build up its business and take care of its bonded indebtedness; the Great Northern relied upon the resources of the country, building spurs and branch lines, reaching out for business, sending out agents to bring in people to possess the land. Practically all of the lands along its line were free lands, while half of the lands along the Northern Pacific were not subject to homestead entry. In the early days the Northern Pacific was built and operated with reckless extravagance; the Great Northern was noted from the beginning for its economical administration, and since its management passed into the hands of James J. Hill, who developed and built up its several systems, it has had no setback of any nature, and today the stocks of that company are quoted higher than any other stocks of any class on the market, the New York quotation being for Saturday, November 10, 1906, 322½; in railroad stocks the Northern Pacific stood next, at 220, higher than any other, excepting the Great Northern alone. The Northern Pacific has done much for the development of the country through which it passes; the Great Northern has done more.

The Minneapolis, St. Paul & Sault Ste. Marie Railroad, more familiarly known as the "Soo," has also done much for the development of North Dakota. Its lines, too, were extended without a bonus and without a land grant, and were pushed in competition with the Great Northern to almost all parts of the state. They have been extended through the southern part to the capital and on north to the coal fields, and from the southeastern portion diagonally across the state, and from the east to the western part through the northern counties, entering upon a rivalry with the Great Northern, born of the rivalry which has always existed between St. Paul and Minneapolis, the leading spirits of the Soo residing at Minneapolis, while the home of James J. Hill was at St. Paul, where he began life as a humble clerk.

HISTORY OF THE GREAT NORTHERN RAILROAD

On retiring from the chairmanship of the directory of that company in 1912, James J. Hill, in a letter to his associates, states the facts relative to the work of the syndicate organized by him for the purchase of the Great Northern system, from which the following extract is made:

"My associates were George Stephen, now Lord Mount Stephen; Donald A. Smith, now Lord Strathcona, and Norman W. Kittson. We bought the defaulted bonds of these properties from the Dutch holders. The agreement with the Dutch committee was executed March 13, 1878, and practically all outstanding indebtedness was subsequently secured. The mortgages were afterwards foreclosed and the property was bought in. For those days it seemed a formidable financial undertaking. The stock of these companies aggregated $6,500,000, and their bonded indebtedness with past due interest nearly $33,000,000, aside from floating obligations. These had to be purchased at prices above those for which they had previously been offered in the open market. The total capitalization and indebtedness at that time of the companies taken over was approximately $44,000,000.

"The property secured consisted of completed lines from St. Paul via St. Anthony to Melrose, a distance of 104 miles, and from Minneapolis to Breckenridge, a distance of 207 miles; and of two projected lines, one from Sauk Rapids to Brainerd and one from Melrose to the Red River at St. Vincent, on the international boundary line. On these latter some grading had been done and about 75 miles of track had been laid. There were gaps between Melrose and Barnesville, Crookston and St. Vincent that must be filled quickly. In themselves, had it not been for the promise of the future, these were scattered tracks in a country just being settled, out of which to construct a railway system and on which to base the financing of their purchase and development.

"We advanced the money to build the Red River Valley Railroad, fourteen miles of track from Crookston to Fisher's Landing, on the Red River, making a through route by steamboat from that point to Winnipeg. While negotiations were pending and also after they were concluded, but before possession could be secured through the foreclosure of mortgages, an immense amount of work had to be done. The extension from Melrose to Barnesville must be pushed, and was carried thirty-three miles, as far as Alexandria, and ninety miles were built in the Red River Valley to reach the Canadian boundary. The former was necessary to save the land grant, whose time limit, already extended, was about to expire. The latter was in addition to connect with a railroad projected by the Canadian government from Winnipeg south. As the properties were still in the hands of a receiver, an order had to be obtained from the court for the completion of the work in Minnesota with funds furnished by us. Money had to be raised to build these lines and to furnish equipment necessary for their operation.

"In May, 1879, the St. Paul, Minneapolis & Manitoba Railway Company was organized to take over all these properties, whose bonds had been largely purchased, whose stocks had been secured and whose assets were to be bought in under foreclosure. It had an authorized capital stock of $15,000,000, limited by its charter to $20,000,000, and made two mortgages of $8,000,000 each. George Stephen was made first president of the company, Richard B. Angus, vice president, and I was chosen general manager. This placed upon me the practical conduct of the enterprise from its formal inception.

"The lines of the new system turned over to our possession on June 23, 1879, comprised a mileage of 667 miles, of which 565 were completed and 102 under construction. From the beginning its business fulfilled the expectations of its founders. The annual report for 1880 showed an increase in earnings of 54 per cent, and had sales amounting to $1,200,000. And now began the long task of building up the country. No sooner was a mile of road finished than the need of building other miles became apparent. Before Minnesota had filled up the tide of immigration was passing even the famous Red River Valley country and flowing into Dakota. By 1880 it had become necessary to add a line down the Dakota side of the Red River to plan for many extensions and branches, and two local companies, building lines in Western Minnesota, were purchased.

"Only a detailed history of the railroad could follow step by step the progress of track extension and the financial arrangements by which capital was furnished for these constant and always growing demands from this time on. In a brief review, such as this, I can call attention only to what may fairly be called points of historic interest in the growth of what is now the Great Northern System. [illegible] outlet by way of the Great Lakes. An interest was obtained in the St. Paul & Duluth Railroad Company in 1881. This, with the building of the line from St. Cloud [illegible] gave the necessary access to the Great Lakes, until the [illegible] of the Eastern Minnesota in 188[illegible] as a [illegible] permanent outlet and terminals. I was made vi[illegible] November 1, 1881, and [illegible] took place for [illegible] had joined this party [illegible] this [illegible] also [illegible] accepted [illegible] chairman [illegible] compensated by the increase [illegible] the property [illegible] already been large.

Business now grew [illegible] the Northern Pacific was [illegible] completed and the Canadian Pacific was building toward the [illegible]. The St. Paul & [illegible] Railroad was [illegible] as some inspired, [illegible] as a transcontinental line. The [illegible] traversed was rich in fertile [illegible] and abundance of timber and [illegible] resources [illegible] was the fact that [illegible] grades [illegible] curves so moderate as to [illegible] than [illegible] ever previously [illegible] a large [illegible] own, while [illegible] Pacific [illegible] could [illegible] the [illegible] connection with the Montana Central. This latter [illegible] had been incorporated early in January, [illegible] importance of [illegible] field in Montana, which was essential to the future transcontinental line [illegible] itself and one which others [illegible] preparing to secure, [illegible] with some friends organized [illegible] under the laws of Montana. [illegible] began at once. The surveys [illegible] the coldest winter weather [illegible] construction was rushed. The track was completed [illegible] the middle of 1888. A branch to Sand Coulee opened up the coal [illegible] region, furnishing fuel for the use of the Montana and Dakota divisions of the line, and for the development of the [illegible] interests in Montana, which had been obliged up to that time to bring [illegible] from Wyoming. The work of extending the Manitoba line to connect with the Montana Central launched the company upon the [illegible] known in this country.

"Five hundred [illegible] continuous miles [illegible] between April and September, 1887, and by November 18, [illegible] miles [illegible] an average of [illegible] construction [illegible] Report for that year said: "The new mileage under construction within the period covered by the fiscal year ending June 30th and the residue of the calendar year 1887 * * * amounts to the relatively large quantity of 1,443.07 miles, or 95.5 per cent of the mileage under operation at the beginning of the same fiscal year." But this activity on the main line to the west was only one item in the extension programme which they had previously been offered in the open market. The total capitalization and indebtedness at that time of the companies taken over was approximately $44,000,000.

"The property secured consisted of completed lines from St. Paul via St. [illegible] to Melrose, a distance of [illegible] miles, and from Minneapolis to [illegible], a distance of [illegible] miles, and of two projected lines, one from Sauk [illegible] and one from Melrose to the Red River at St. Vincent, [illegible] boundary line. On these latter some grading had been done and about [illegible] there were gaps between Melrose and Barnesville [illegible] must be filled quickly. [illegible] tracks [illegible] railway system and [illegible]

"We [illegible] the road in [illegible] Red River [illegible] Railroad, fourteen miles of [illegible] Red River, making [illegible] negotiations were pending [illegible] more [illegible] could be secured [illegible] amount of work had to be done. The extension from Melrose to Barnesville must be [illegible], and was carried thirty-three miles, as far as [illegible], and ninety miles were built in the Red River Valley to reach the Canadian boundary. The former was necessary to save the land grant, whose [illegible] already extended, was about to expire. The latter was in addition to connect with a railroad projected by the Canadian government from Winnipeg [illegible] properties were still in the [illegible] receiver, an order had to be obtained from the court for the completion of the [illegible] Minnesota [illegible] by us. Money had to be raised to build these lines and to buy the equipment necessary for their operation.

"In May, 1879, the St. Paul, Minneapolis & Manitoba Railway Company was organized to take over all these properties, which [illegible] had been largely [illegible] secured [illegible] were to be bought in under [illegible]. It had an authorized capital [illegible] limited by [illegible] and made two mortgages [illegible] each. George Stephen [illegible] first president of the company. Richard B. Angus, vice-president, [illegible] was chosen general manager. This placed upon [illegible] the principal [illegible] of the enterprise [illegible]

"The [illegible] of the new system [illegible] our possession on June [illegible], 1879, [illegible] mileage of [illegible] were completed and [illegible] under construction. From the [illegible] fulfilled the expectations of its founders. The [illegible] report [illegible] of 54 per cent, and had sales amounting [illegible]. And now began the long task of building [illegible] the [illegible] a tide of [illegible] filled up [illegible] the tide of immigration was passing over the famous Red River Valley country and flowing into Dakota. By 1880 it had become necessary to add a line down the Dakota side of the Red River to [illegible] for many extensions and branches, and two local companies building lines in Western Minnesota were purchased.

"Only a detailed history of the railroad could follow step by step the progress of track extension and the financial arrangements by which capital was furnished for these constant and always growing demands from this time on. In a brief review, such as this, I can call attention only to what may fairly be called points of historic interest in the growth of what is now the Great Northern System. One of these was the provision of an eastern outlet by way of the Great Lakes. An interest was obtained in the St. Paul & Duluth Railroad Company in 1881. This, with the building of the link from St. Cloud to Hinckley, gave the necessary access to the Great Lakes, until the organization of the Eastern Minnesota in 1887 as a subsidiary company furnished a permanent outlet and terminals. I was made vice president of the company November 1, 1881, and on August 21, 1882, succeeded to the presidency, a position whose duties I was to discharge for a quarter of a century. Mr. John S. Kennedy, who had joined our party after the organization of the company, was elected vice president. At no time have I accepted any salary for my services as president or chairman of the board of directors, since I have felt that I was sufficiently compensated by the increase in the value of the property in which my interest has always been large.

"Business now grew more and more rapidly, the Northern Pacific was about completed and the Canadian Pacific was building toward the coast. The St. Paul & Pacific Railroad was originally, as its name implied, intended as a transcontinental line. The route to be traversed was rich in fertile soils and abundance of mineral and forest resources. Quite as important, perhaps, was the fact that it admitted of the construction of a line with grades so low and curves so moderate as to make possible cheaper overland carriage than had ever been previously considered. Montana was beginning a large development of her own, while the active growth of the North Pacific Coast, though only in embryo, could be foreseen. In 1887 the lines of the Manitoba were extended to a connection with the Montana Central. This latter company had been incorporated early in January, 1886. Realizing the importance of occupying a field in Montana, which was essential to the future transcontinental line, valuable in itself and one which others were already preparing to secure, we had, with some friends, organized the company under the laws of Montana. Work was begun at once, the surveys being made in the coldest winter weather. Construction was rushed. The track was completed to Helena in 1887 and to Butte by the middle of 1888. A branch to Sand Coulee opened up the coal mines of that region, furnishing fuel for use on the Montana and Dakota divisions of the line, and for the development of the mining interests in Montana which had been obliged up to that time to bring in their coal from Wyoming. The work of extending the Manitoba line to connect with the Montana Central launched this company upon the most active period of construction ever known in this country.

"Five hundred continuous miles were graded between April and September, 1887, and by November 18, 643 miles of track had been laid, an average rate of construction of 3¼ miles for each working day. The annual report for that year said: 'The new mileage under construction within the period covered by the fiscal year ending June 30th and the residue of the calendar year 1887 * * * amounts to the relatively large quantity of 1,443.97 miles, or 95.5 per cent of the mileage under operation at the beginning of the same fiscal year.' But this activity on the main line to the west was only one item in the extension programme.

In the years between 1882 and 1888 the stone arch bridge and terminals in Minneapolis were completed; the Dakota line down the Red River was finished to a connection with the Canadian Pacific; the Casselton branch was purchased; a line was built from Willmar to Sioux Falls, and afterwards extended to Yankton; some railroads in South Dakota were bought; the Montana Central was taken over at cost, and an elevator and large terminals at West Superior were arranged for. In 1889 the line to Duluth and West Superior was completed, giving terminals and dock accommodations which today are not surpassed anywhere in the country. The total mileage operated had now increased to 3,030 miles. The company had also begun to operate its own steamships, through the Northern Steamship Company, on the Great Lakes. These boats, which began to run in 1888 and 1889, not only afforded greater dispatch in the carriage of grain and flour from the head of the lakes to Buffalo and other lake ports, but they made the railroad independent of other lake lines. It was thus enabled to protect its patrons and to prevent its reductions in rates from being absorbed by increases made by the lines east of its lake terminals.

"In 1889 the Great Northern Railway Company was organized, to bind into a compact whole the various properties that had grown too large for the charter limitations of the old Manitoba. It leased all the property of the latter company and was prepared to finance the undertakings about to be completed or in contemplation. By 1893 the line was opened through to Puget Sound. In the next five or six years many improvements were made by relaying track with heavier rails and by changes in equipment and large additions thereto. Branches and feeders were built to round out the system. In 1897 a more direct line from the head of the lakes to the west was created by purchase and construction that completed a road across Northern Minnesota to a connection with the main line. The taking over of the Seattle & Montana which, like the Montana Central, had been built by us to assure adequate terminals on the Pacific Coast and to enable construction to go forward from both ends of the line at once, extended the system from Seattle to Vancouver, B. C. In 1889 it had entered the ore-producing regions of Northern Minnesota that was to give it a large addition to its traffic.

"Just as, in the building of the Montana Central and the Seattle & Montana, it was necessary to know thoroughly the country in advance of railroad construction and to act upon that knowledge, so these ore lands in Northern Minnesota had to be examined; and some of them it seemed desirable to acquire, with a view to the effect upon the future of the company's business. In January, 1899, I purchased the Wright & Davis property, consisting of a line of railroad, some logging road and a large quantity of ore lands. The purchase for $4,050,000 was made by me individually. My purpose was to secure the shipments of ore from these properties for the Great Northern; and the profits from the mines, if there were any profits, for the stockholders of the company. The railroad was turned over to the Great Northern at cost. The ore property was transferred at cost to the Lake Superior Company, Limited, organized October 20, 1900, to hold in trust, together with other ore interests acquired later. A trust to administer the Great Northern ore properties was formed December 7, 1906, under resolutions adopted by the Great Northern Company. This trust took over the ore interests acquired by me, additional ore lands subsequently secured and other properties. It issued against them 1,500,000 shares of certificates of beneficial interest, which were distributed, share for share, to holders of Great Northern stock at the time. The stockholders were thus put in possession of all the benefits accruing from the whole transaction. At the end of the last fiscal year the trustees had distributed a total of $7,500,000 to the certificate holders, while the future value of the properties so covered, owing to the quality and accessibility of the ore and the demand of the iron industry for new supplies of raw material, must be very large.

"In 1901 the company decided to open negotiations for the joint purchase of the Chicago, Burlington & Quincy System by the Great Northern and the Northern Pacific. These were carried to a successful completion by the issue of joint collateral trust bonds to the amount of $215,154,000, secured by the stock of the company acquired. Time has confirmed the wisdom of this act, by which through traffic arrangements have been simplified, and the public has gained much by the drawing together of markets and the quick and cheap distribution of products between Chicago, St. Louis and the Pacific Coast.

"It was planned, through the formation of the Northern Securities Company, to form a holding concern for the control of these three great properties. The purpose was to prevent a dispersion of securities that might follow where large amounts were held by men well advanced in years, and so to secure the properties against speculative raids by interests at best not directly concerned in the progress of the country served by these lines. This was declared illegal, under the Sherman anti-trust law, by a divided court, upon suit by the United States Government, and the Northern Securities Company was dissolved.

"In 1907 the subsidiary companies controlled by the Great Northern, including fourteen railway companies operated as a part of it, were purchased and incorporated into the Great Northern System, making of these related parts one homogeneous whole. In the same year I resigned the presidency of the system, and became chairman of the board of directors—the office that I lay down today. The work of extension and improvement has gone forward steadily. By the construction of the Spokane, Portland & Seattle line, along the north bank of the Columbia River, the Great Northern and the Northern Pacific obtained jointly entry over their own tracks into Portland. Lines are now being constructed through Eastern Oregon that will open up a large and productive country. In 1909 the Burlington obtained control of the Colorado & Southern; so that the Great Northern covers, directly or over the tracks of allied lines, a territory reaching from Chicago, St. Paul, Minneapolis, Duluth and Superior on the east to Puget Sound and Portland on the west, and from Galveston to Vancouver, B. C. The Great Northern System has grown from less than four hundred miles of the original purchase to 7,407 miles.

"I have some pride in the fact that, while constantly increasing both the volume and the efficiency of its service, the Great Northern has at the same time carried to market the products of the country at rates which have greatly developed the territory served by its lines. If the freight and passenger rates in force in 1881 had remained unchanged until 1910, the total revenue collected from both sources for the thirty years would have been $1,966,279,194.80. The revenue actually collected was $698,867,239.91. The saving to shippers by the rate reductions which this represents was $1,267,411,954.89, or nearly twice the total amount received by the railroad. The average par value of its outstanding stock and bonds in the hands of the public during the same time was $155,576,917. Rate reductions in thirty years saved to the public more than eight times the average capitalization. In other words, the railroad could have paid cash for the entire par value of its stocks and bonds in less than every four years out of its earnings. I hope this may be considered a fair division.

"The results herein summarized could not have been obtained without the cooperation of a staff of able and devoted assistants, trained to administrative work and grounded in right methods. It was clear to me from the first that the railroad must net more for the money it expended than the returns generally accepted at the time. High efficiency could be achieved only through the work of highly efficient men working with the best appliances. The staff was built up by recognizing intelligence and merit through promotions as vacancies occurred in the company's service, and by establishing throughout a morale that was recognized by employes from the highest to the lowest. The result has been competence and loyalty, physical efficiency and financial success.

"I shall give only a short summary of the financing of this great undertaking. The Great Northern was built by the money furnished by its stock and bond holders and with what it earned. As part of the property of the St. Paul & Pacific it obtained some fragments of a land grant in Minnesota to that company. With the proceeds of the sales of these lands nearly $13,000,000 of bonds were retired and the annual interest charge has been correspondingly reduced. All the other transcontinental lines had received large subsidies in cash or land grants, or both. They suffered the check of financial stresses and passed through receiverships and reorganizations. The Great Northern, which includes the Manitoba, never failed, never passed a dividend, never was financially insecure in any time of panic. For thirty-three years its credit has been unimpaired and its resources equal to any demands upon them; and in times of financial distress it has been able to assist materially in moving the crops of the Northwest. The security of the investments of the holders of stock and bonds has always been a first consideration; and the success and prosperity that attend the company today have not been purchased either by any doubtful transactions in the stock market or at the cost of one dollar ever committed by man or woman to this company in trust.

"When we obtained an option on the securities of the old St. Paul & Pacific Company, no individual or financial house in Europe or America, outside of those associated with us, would have taken the bargain off our hands. By a few it was regarded as a doubtful venture, by most as a hopeless mistake. As has been said, obligations aggregating about $44,000,000 were capitalized at a little over $31,000,000. The first stock issue was $15,000,000. The increase of capitalization from that day to this has followed step by step the growth of the property, though falling far below its aggregate cost. Millions of earnings have been used in betterments and new construction that are usually covered by the sale of stock and bonds.

"The stock of the St. Paul, Minneapolis & Manitoba was limited by its charter to $20,000,000. When the Great Northern was organized it took over the charter of the Minneapolis & St. Cloud Railway Company. The capital stock was made $20,000,000, which was afterwards increased to $40,000,000, in half common and half preferred. This was further increased to $45,000,000 in 1893 and to $75,000,000 in 1898, none of which was issued as common stock, but all made uniform in character and all shares having equal rights. As the addition of mileage, the purchase of many minor companies, the consolidation of all the originally separate corporations into one system, with the exchange of its stock for theirs, and the addition of equipment and betterments required, the capital stock was added to from time to time. In 1899 it became $99,000,000; in 1901, $125,000,000; in 1905, $150,000,000; and in 1906, $210,000,000, at which figure it stands today. Every dollar of this represents honest value received. But the problems of its issue and disposal, the creation of a market for securities, the safeguarding of it against attack and its maintenance as an investment attractive and secure were difficult and slow of solution. The company has now acquired a standing which nothing in the ordinary course of events can impair.

"The issue and placing of bonds was in some respects simpler and in some more complex than the distribution of stock. At the time when the St. Paul, Minneapolis & Manitoba was organized and for many years thereafter the railroad world was governed by a code now done away with. It was the general practice to build new roads with the proceeds of bond issues. The accompanying stock was considered the legitimate property of the promoters, who were accustomed to use part of it as a bonus to the subscribers for bonds. When profits were large, stock dividends were held perfectly proper; and the general practice of railroads was to divide all profits in sight, and charge to capitalization all expenditures that could be so covered. This code and these policies were those not merely of speculators or railroad managers, but were publicly sanctioned both as a part of the necessary conduct of the business and ethically. This difference of standards has to be borne in mind constantly whenever one deals with railroad developments dating much earlier than twenty-five years ago.

"During 1878, before the road was organized, 112 miles of track were built, and more than that the year following. A large amount of equipment was bought. To cover this outlay a part of the proceeds of the second mortgage issue of $8,000,000 was used. There was originally a limit of bond issues to $12,000 per mile of single track road; which was found to be insufficient even for work mostly on prairie. In 1880 the Dakota extension mortgage was authorized, of which $5,676,000 of 6 per cent bonds were issued from time to time, and this total of less than $22,000,000 covered the whole bonded indebtedness of the company down to 1883. But it by no means covered the actual expenditures for which bonds might legitimately be issued.

"The period from 1879 to 1883, when the railroad was still an experiment in the minds of most eastern capitalists, was not a time to enlarge the volume of securities or ask outside capital to bid for them. All that this could have secured would have been some sales at much below par and an impaired credit. Yet money must be had to keep going the extension which was creating a new Northwest; and, through that, a profitable and assured future for the company. So another method was adopted. The company diverted to these uses the money which might have been divided as profits among the stockholders. At one time 210 miles of road were built and $1,700,000 were spent on equipment without a bond issue. The company became its own banker while waiting for a favorable market to be created. The stockholders temporarily renounced their profits in order to leave their money in the enterprise. But it remained their money, and their title to it was indisputable. It was costing now very much more than $12,000 a mile to build a substantial track. In all, about $11,000,000 of profits were put into new construction and betterments. The stockholder of tnat day expected these profits to be distributed. His right to them was sanctioned by public opinion as well as by custom and law. It was recognized in 1883.

"In that year the credit foundation of the company was broadened and its methods systematized by the authorization of $50,000,000 consolidated mortgage bonds. Of this amount, $19,426,000 were reserved to retire prior bonds, $10,574,000 were to be issued immediately and the remaining $20,000,000 were to be issued only on the construction thereafter of additional track at the rate of not to exceed $15,000 per mile, although the cost per mile was often as high as $25,000, and the cost of terminals added largely to this sum. Of the $10,574,000 bonds issued on execution of the mortgage, $10,000,000 were sold to the stockholders at par, payable 10 per cent in cash and 90 per cent in the property that had been constructed or acquired with the stockholders' money, thus returning to them $9,000,000 of the forced loans taken from them by sequestration of $11,000,000 of their profits during the previous years. To the stockholders the only difference was they received a portion of the legitimate earnings of the company in the shape of bonds instead of cash, and were deprived of the personal use of it during the time that it had been used by the company. The difference to the company was $2,000,000, or more, as it sold to its stockholders at par bonds which if placed on the market three years before could have been sold only at a heavy discount; besides it was an indispensable aid to immediate growth and a conservation and building up of credit. The difference to the public was not a penny either way.

"As branch lines were built or acquired their bonds were guaranteed. In 1887 an issue of $25,000,000 on lines in Montana was authorized. Some improvement bonds were issued. The extension to the Pacific Coast was financed by the issue of £6,000,000 of mortgage bonds against the extension lines by the Manitoba company. In 1889 the bonded debt had become $60,985,000. The Great Northern, which now took the place of other companies, issued collateral trust bonds, which were afterward retired from the proceeds of stock issues in 1898. It assumed the payment of bonds, principal and interest, of the companies taken into the system; and its bonded debt thus became $125,975,909 in 1908, of which over $28,000,000 were held as free assets in the company's treasury. Last year the total bonds on the property outstanding in the hands of the public amounted to $144,331,909.

"Of this total, $35,000,000 were part of the issue of first and refunding mortgage gold bonds authorized in 1911; which brings us to the final standardization of the company's securities and the act by which it provided against future contingencies. This issue, of $600,000,000 in all, stands to the big systems of today as the $50,000,000 issue of consolidated bonds did to the small system of twenty-eight years before. It creates a financial clearing house through which its several outstanding securities may be converted into one of standard form and value; and it forms in addition a reservoir of authorized credit so carefully guarded by the conditions of the mortgage that it cannot be abused or dissipated, yet so ample that it will supply all needs for probably fifty years to come. No private estate in this country is more carefully provided against the future than is the property of the Great Northern Railway Company. All prior mortgages become closed, and more than one-half of the total $600,000,000 is to be used to redeem bonds issued under them and those issued to buy the company's interest in the Burlington. Nearly $123,000,000 may be used to cover the cost of other properties acquired or to be acquired; while $100,000,000 may be issued, at not to exceed $3,000,000 per annum, to cover the cost of future construction, acquisition and betterments.

"The financial outlook of this company is as well assured as that of most governments. It has a provision made now, deliberately and not under any pressure of necessity, for the work of years to come. That provision may be utilized in lean years and held in suspense in fat years, so as always to realize the best prices for securities and to keep the credit of the company unimpaired. No emergency can surprise it. It is financed for a period beyond which it would be fanciful to attempt to provide. And the development of its business throughout every part of the practically half a continent which it serves makes the payment of dividends on the stock as certain as that of its bond coupons. There has never been a default in either. There has never been a dollar's worth of stock or bonds issued that was not paid for in cash, property or services at its actual cash value at the time. The stock has paid a dividend ever since 1882, and since 1900 the rate has remained steadily at 7 per cent.

"The occasion permits no more than this condensed statement, passing in hasty review the fortunes of the railroad enterprise for more than thirty-five years. The first phase of the Great Northern Railway System is ended. The value of the property is founded on the resources of the country it traverses. From the head of the lakes to Puget Sound this is rich agricultural land. From fifty to one hundred miles of the line run through mountain valleys, but even these are susceptible of cultivation. Barring only the actual summits of the mountain passes, the country is capable, under the best modern agricultural treatment, of multiplying its wealth indefinitely and furnishing increasing and profitable tonnage for years to come. The Great Northern is now wrought so firmly into the economic as well as the corporate body of the land as to have fitted itself permanently into the natural frame of things. So far as any creation of human effort can be made, it will be proof against the attacks of time."

The two great constructive forces in the development of North Dakota were the Great Northern and Northern Pacific railroads. They were largely St. Paul enterprises, and Minneapolis men and resources have been rivals almost from the beginning; so Minneapolis capital built the Minneapolis & St. Louis to rival St. Paul's St. Paul & Sioux City; it reached the lakes at Sault Ste. Marie, and it extended its lines to remote corners of North Dakota in competition with the St. Paul lines, and also became a factor in the rapid development of North Dakota.

The Chicago and Milwaukee lines also performed their part, but more particularly as to South Dakota. The "Soo" had no land grant; the Milwaukee and Chicago lines had none in Dakota.

JAMES J. HILL

James J. Hill, born at Rockwood, Canada, in 1836, reached St. Paul in 1856, where he was employed on the levee. When the first railroad started in St. Paul, the old St. Paul & Pacific, Mr. Hill became the station agent for the road, but not in an ordinary way with a monthly salary stipendiary, but under a contract to handle all the traffic at so much per ton. In those days wood was the only fuel. Hard coal could only be secured by the long river route from Pittsburgh, and very little came to the city, save for the use of the gas company. The public and business buildings, as well as private houses, were supplied with wood fires. One of his first strokes of business, the foundation for his fortune, was when the St. Paul & Pacific Railroad was extended into what is still called the Big Woods Region of Minnesota, some fifty or sixty miles from St. Paul. He was able to make an exclusive contract with the railroad, whereby he alone could bring wood into the city at a given rate per cord, and consequently the entire fuel business of the city was at his command. It is to his credit to say that he did not use this power to extort unfair prices from the people. A moderate supply of fuel was brought in by teams and sold upon the public wood market, but Mr. Hill practically regulated their prices by making his own prices as moderate as the cost of cutting and transportation would permit. The business, nevertheless, was undoubtedly very lucrative.

His familiarity with the river business on the Mississippi led him to engage in traffic for himself on the Red River of the North, through which he not only grasped the trade of Northern Minnesota with its sparse population, but also tapped that of Winnipeg and Northern Canada. Starting with one steamer, he made such success that in 1872 he consolidated his Red River interests with those of the late Norman W. Kittson, who represented the great Hudson's Bay Company, and formed the Red River Transportation Company, and before the railroads relegated navigation on the Red River of the North to the past, he had no less than seven steamers and fifteen barges in his fleet. He was the manager and moving spirit in the Red River Transportation Company until the business was abandoned owing to the building of the railroads.

Like most new enterprises in a new country, the original capitalists and promoters of the St. Paul & Pacific Railroad did not profit by the germ which has since developed into the magnificent and profitable Great Northern system. The local people used the munificent land grant in Minnesota as a basis of credit, and obtained in Holland a good many million dollars, for which bonds were issued. The business of the road was very moderate because the population was too small to furnish business, St. Paul and Minneapolis being hamlets rather than cities in those days, and the entire population of the state was less than two hundred thousand people. The rails and equipment were so cheaply constructed that they would not be thought of today by any road, however small. Bridges were wooden, and culverts were cheaply built, and the bill for repairs and renewals was a draft upon the resources of the railroad far beyond its ability to meet from its operating income. In fact, its operating income was required to meet its operating expenses without providing means for betterments. The value of the land was a long look ahead, and the Dutch bondholders in Amsterdam became weary of and disgusted with their investment. They were willing and anxious to dispose of their bonds at almost any price they could get, and under these circumstances it is not surprising that their values fell to 10 cents on a dollar.

What followed is told in the language of Mr. Hill in the letter to the stockholders above printed. It is a part of the history of the Red River Valley and of the Dakotas.

Mr. Hill believed in the Northwest, and believed it had a great future before it, and consequently he was enabled to enlist capital, and purchased bonds. The road had been thrown into the hands of a receiver, but the bonds were being purchased just the same by Mr. Hill and the capitalists who associated with him. His relations with Mr. Kittson, who had been associated with him in the Red River Transportation Company, proved of immense value. Mr. Kittson was a personal friend of Donald A. Smith, of Winnipeg, later a member of the House of Lords in England and Canadian Commissioner to the home government. Mr. Smith's influence brought in connection with the party Mr. George Stephen, also a member of the House of Lords in England. At that time he was president of the Bank of Montreal, one of the strongest financial institutions on the continent. The result was that the property and land grant of the old St. Paul & Pacific were foreclosed upon and the purchasers of the bonds in Amsterdam were the purchasers of the entire system under the foreclosure. The road passed from the hands of the receiver into the hands of the new company. They obtained in this manner 437 miles of railroad, to which they promptly added 220 more, as well as rebuilt much of the old line, substituting iron bridges for wooden, lowering grades and cutting out vexatious curves, and in every way improved the system so that the expense for operating produced greatly increased earnings. This is the theory upon which Mr. Hill always acted, and in a large measure is the cause of his success in railroad construction and operating.

It was in 1879 that the St. Paul, Minneapolis & Manitoba Railroad Company was organized by the syndicate which Messrs. Hill and Kittson had formed. Mr. Hill was the first general manager of the company and devoted his wonderful energies and vitality to the direct operating affairs of the railroad. He threw all the energies of his nature into this work, and no detail of the system escaped his personal attention. He knew what the cost of every item should be. From a spike to a steel rail or a locomotive, he could tell in an instant what the company should pay for it.

Of the first tract of land in North Dakota to which title was acquired from the Government, Mr. Hill purchased five acres for use in his Red River trade, and this was the first transfer of land in North Dakota. For nearly fifty years his was the influence overshadowing all others for the upbuilding of North Dakota.

James J. Hill died May 25, 1916. At the hour of his funeral business stood still and every head in North Dakota and Minnesota bowed in silence or in prayer out of regard for this truly great man. Business houses closed, railroad trains stopped wherever they happened to be; teams stopped on the highway; plows ceased to move in the furrow and the hand of the seeder was stayed while all hearts went out and up for him who had been their friend, and who was now gone from earth's activities.

THE RED RIVER VALLEY

The following sketch of the opening of the Red River trade belongs to this story of Mr. Hill. It is from the pen of Capt. Russell Blakely, the head of the great transportation interests, the immediate predecessors of the railroads:

May, 1857, the English House of Commons took the initial steps toward opening the British Possessions in North America, then in the control of the Hudson's Bay Company to civilization and unrestricted commerce. The committee having the matter in charge reported in favor of termination of the control of the Hudson's Bay Company at the end of their then twenty-first year term expiring in 1869.

In 1857 the Hudson's Bay Company completed arrangements with the secretary of the treasury of the United States whereby goods for that company could be carried in bond through the United States, thus practically doing away with their Hudson's Bay Station known as York Factory, to which goods were then being shipped, vessels arriving and departing once a year. In the summer of 1858 two or three shipments of goods were so made leaving the Mississippi River at St. Paul and conveyed thence by Hudson's Bay carts under the direction of James McKay.

In October, 1858, Capt. Russell Blakely of St. Paul, accompanied by John R. Irvine, visited the Red River Valley via St. Peter, Fort Ridgeley, Yellow Medicine, Lac qui Parle, and the Kittson Trail to Fort Abercrombie. Capt. Nelson H. Davis and Lieut. P. Hawkins of the Second United States Infantry, with their company were then stationed there. Jesse M. Stone was sutler. The fort had been hastily built and consisted of a few log cabins on the low lands. "Burlington" and "Sintominie," prospective Red River cities were passed and "Lafayette," opposite the mouth of the Sheyenne, about three miles from Georgetown was reached, from which point Mr. Blakely made his observations as to the possibilities of Red River navigation.

Resulting from the report of Mr. Blakely, the St. Paul Chamber of Commerce paid a bonus of $2,000 for the first steamboat to be placed on the Red River. Anson Northrup had bought the old "North Star" at Minneapolis and took it up the river over Sauk Rapids and Little Falls, running up as far as Grand Rapids. This boat was laid up at Crow Wing that fall, where lumber for the new boat was sawed and taken over the country, together with the machinery of the "North Star," which had originally been brought from Maine and in 1851 was placed in the "Governor Ramsey" and later in the "North Star," to Lafayette, where the "Anson Northrup" was built, and launched in 1859. Thirty-four teams were used in taking the boat and its furnishings from Crow Wing to Lafayette.

Having run up to Fort Abercrombie the boat left that point for Fort Garry, now Winnipeg, May 17th, arriving at Fort Garry, June 5, 1859. She returned to Fort Abercrombie with twenty passengers, where she was tied up, and when Captain Blakely and others desired her further services they were informed that they would have to buy her if they wanted to run her. Later she was purchased by J. C. Burbank.

Resulting from the mail lettings of 1858 the Minnesota Stage Company was organized by J. C. Burbank, Russell Blakely and Alvaren Allen, Allen being associated with Mr. Chase, and they had the contracts from St. Paul to Abercrombie and other northwestern points. The road to be fitted up for the stages on the routes it was proposed to put on ran from St. Cloud via Cold Springs, New Munich, Melrose, Winnebago Crossing, Sauk Rapids, Kandota, Osakis, Alexandria, Dayton and Breckenridge to Abercrombie. The party left St. Cloud in June, 1859, for the opening of this route. Accompanying the expedition, aside from the teamsters, bridge builders, station keepers, etc., were the Misses Elle-

and Christiana Sterling from Scotland, Sir Francis Sykes of England, and servants together with J. W. Taylor, so long consul at Winnipeg. Northrup having refused to operate his boat, this party built a flat boat at Abercrombie and went down the river to Fort Garry, and the ladies went on to Lake Athabasca, where they arrived just as winter set in. They were twenty-two days going down the river from Abercrombie to Garry, and their craft was the first boat on the Red River. Pelican Lake was named Ellenora for one of these ladies and the one just east of it Christiana for the other. George W. Northrup was captain of this boat.

On his way to St. Paul on his return trip Captain Blakely learned of the purchase of the boat by Mr. Burbank. He notes the following members of the crew en route to put her to work: Edwin Bell, captain; Dudley Kelly, clerk; J. B. Young, pilot; A. R. Young, engineer. The point chosen for the head of navigation was below the mouth of the Buffalo River, about three miles from Lafayette, where the boat had been built. The boat unloaded at Goose Rapids, and McKay was about to take its cargo via carts to Garry when the timely arrival of Captain Blakely resulted in the construction of wing dams, which carried the boat safely over the rapids, and its tonnage landed all right at Garry. The crew returned via carts to St. Paul.

In the spring of 1860 Captain Blakely and associates completed a contract with Sir George Simpson for the transportation of 500 tons annually from St. Paul to Fort Garry for a period of five years.

The "Anson Northrup" was repaired in the spring of 1860 and became the "Pioneer" and was commanded that summer by Capt. Sam Painter, with Alden Bryant, clerk. The mail was extended from Abercrombie to Pembina and William Tarbell and George W. Northrup were employed as carriers, using carts in summer and dog train in winter.

In 1860 Capt. John B. Davis undertook to take his steamboat "The Freighter," up the Minnesota River, and cross it over into the Red River. The boat left St. Paul in high water and got within about eight miles of Big Stone Lake, but had to give it up. "The Freighter" was sold to Burbank & Co., and C. P. V. Lull took out the machinery and hauled it over to Georgetown, where the boat was rebuilt and became the "International." A. W. Kelly, later of Jamestown, sawed the lumber for this boat. The engines were put in by Edwin R. Abell. The "International" measured 137 feet in length by 26 feet beam and was rated at 133 tons. C. P. V. Lull ran her for a trip or two when N. W. Kittson took charge of her, on account of his ability to talk with the Indians.

The Indians had protested against the use of the river for steamboats, complaining that the boats drove away the game and killed the fish, while the whistle made such an unearthly noise that it disturbed the spirits of their dead and their fathers could not rest in their graves. They demanded four kegs of yellow money to quiet the spirits of their fathers or that the boats be stopped. At this time Clark W. Thompson, superintendent of Indian affairs and Indian Commissioner Dole, were en route to the mouth of the Red Lake River, opposite Grand Forks, to hold a treaty with the Indians. They were turned back by the opening of Indian hostilities. August 22, 1861, the Indians appeared at Dayton and Old Crossing, killing all the settlers they could find. At Breckenridge they killed all of the persons in the hotel and burned the house. They overtook the stage driver whom they killed, taking 2,500 pounds of express freight. They also plundered the train of wagons loaded with merchandise on its arrival on the treaty grounds, claiming that their wives and children were starving.

Hostilities continued till 1863, when, in October of that year, Governor Alexander Ramsey made a treaty with the Indians which ended the trouble with them in the Red River Valley. In March, 1862, Congress provided for twice a week service on the mail route to Abercrombie. Stockades were built at Sauk Center, Alexandria, and Pomme de Terre, and the route was guarded by troops. The "International," abandoned in 1861, on the outbreak of hostilities, was brought to Abercrombie in 1863, by Captain Barret, and in 1864, was sold to the Hudson's Bay Company, it having become apparent that the country could not be opened up against the interest of that powerful organization. They did not want immigration and trade, nor mails or other appliances of civilization. The boat made one trip that year. The cart brigades again put in an appearance and the country became devastated by grasshoppers.

In March, 1869, the Earl of Granville succeeded in terminating the Hudson's Bay contracts and that company surrendered possession of the country, thus ending a twelve-year contest on the part of the Imperial government for the opening of the country.

The organization of the Manitoba government was provided for in 1870, and August 23d of that year Colonel Wolsey, at the head of the Sixtieth Canadian Rifles, entered Fort Garry and September 2d Lieutenant Governor Archibald arrived and the colony was duly organized. James W. Taylor, the American consul, arrived in November.

In December, 1870, the United States land office was opened at Pembina, and then the first public land was entered in North Dakota. There was then no regular mail to Fort Garry, and no recognized means of communication between Manitoba and the outside world. The cost of shipping freight from St. Cloud, the end of the railroad, to Fort Garry was $4 per hundred pounds.

In the spring of 1871 Messrs. Hill and Griggs, of St. Paul, built the "Selkirk," which was put on the Red River that season, with Capt. Alex Griggs, the founder of Grand Forks, master. This boat arrived at Winnipeg April 19th, and having arranged to carry goods in bond, a wonderful trade was immediately opened with the Northwest. The success of the "Selkirk" forced the "International" into general trade.

In 1871, the stage route was extended from Georgetown to Winnipeg, Captain Blakely having contracted with the Dominion government to carry the mail from Pembina to Winnipeg. The first stage arrived in Winnipeg September 11, 1871.

During the winter of 1871, all of the boats running on the Red River passed under control of Commodore Kittson. In 1872, an extensive business in flat boating developed. Scores of flat boats were built in 1872, and engaged in trading with down river points, the boats being sold at their destination and used for lumber. Logs were also run down the Red Lake River and used for lumber.

In 1874, an opposition line of steamers was put on the Red River by Manitoba and St. Paul parties, known as the Merchants Line. The boats were the "Minnesota" and "Manitoba." The latter was sunk by the "International" in a collision. These boats finally passed into the hands of Mr. Kittson in 1876.

The Kittson Line was organized about 1876, and was called the Red River Transportation Company. The principal boats were the "International," Captain Painter; the "Minnesota," Captain Timmens; the "Manitoba," Capt. Alex. Griggs; the "Dakota," Captain Seigers; the "Selkirk," Capt. John Griggs; and the "Alphia," Captain Russell.

The railroad was extended to Fisher's Landing in 1877, and December 2, 1878, the track layers joined the rails of the Canadian Pacific, and what is now the Great Northern at the international boundary, and the development of the Red River Valley was commenced in earnest.

The stage company transferred its business to the Black Hills and the steamboats gave way to the railroads, little business having been done on the river since that time.

The grasshopper raids of 1875 completely destroyed all crops in Manitoba and the people of that region had no seed. The governor of Manitoba secured 12,000 bushels of wheat for seed in Traill County, at Caledonia and whatever of excellence there is in Manitoba seed now, comes originally from North Dakota.

CHAPTER XXIII

RED RIVER VALLEY OLD SETTLERS ASSOCIATION

HISTORY OF THE ASSOCIATION

The Red River Valley Old Settlers Association was organized at a meeting held for the purpose at Grand Forks, December 27, 1879. The following named persons were present, viz.: Alex Griggs, O. S. Freeman, W. C. Nash, James Hanrahan, James A. Jenks, Z. Hunt, Ed Williams, D. P. Reeves, Burt Haney, R. M. Probstfield, Wm. Blair, Thomas Walsh, P. McLaughlin, Wm. Budge, James McRea, George Akers, Matt McGuinness, N. Hoffman, J. J. Cavanaugh, M. L. McCormack, George B. Winship.

R. M. Probstfield was elected president and George B. Winship, secretary.

The following were appointed committees to solicit members and to arrange for a permanent organization: From Grand Forks County, Alex Griggs, D. P. Reeves, Matt McGuinness; from Wilkin County, J. R. Harris, D. McCauley, and Ransom Phelps; from Clay County, R. M. Probstfield, E. R. Hutchinson, C. P. Sloggy; from Polk County, James A. Jenks, E. M. Walsh, John Island; from Kittson and Marshall counties, D. F. Brawley, J. W. Stewart, A. W. Stiles; from Pembina County, Chas. Cavileer, William Budge, N. E. Nelson; from Traill County, Asa Sargent, C. M. Clark, George Weston; from Cass County, J. B. Chapin, J. Lowell, Jr., George Egbert; from Richland County, M. T. Rich, and two others to be named by him.

The permanent association was organized at Grand Forks, February 4, 1880, with about thirty-five present. R. M. Probstfield was re-elected president; Asa Sargent, Traill County; N. E. Nelson, Pembina County, and J. R. Harris, Wilkin County; vice presidents; George B. Winship, of Grand Forks, secretary; Frank Veits, J. S. Eshelman, and M. L. McCormack, Grand Forks, executive committee. Letters were received from Gen. H. H. Sibley, Ex-Senator H. M. Rice, J. J. Hill, and N. W. Kittson, of St. Paul, Chas. Cavileer, S. C. Cady, and others.

A membership fee of $1.00 was fixed and the following paid their adjoining fee: W. C. Nash, John Fadden, Ed Williams, R. Fadden, James Hanrahan, George Akers, Z. M. Hunt, Wm. Fleming, George Ames, George B. Winship, Alex Griggs, Jacob Reinhart, Wm. Budge, Robert Coulter, L. Surprise, M. Ferry, N. Hoffman, J. A. Jenks, M. L. McCormack, F. Veits, J. S. Eshelman.

The association again met at Grand Forks, December 8, 1880, D. F. Brawley was elected president; Howard R. Vaughn, Alex Griggs, James Holes, vice presidents, George B. Winship, secretary and treasurer. The following named persons were present and paid a fee of $1.00 each: Burt Haney, John Fadden, D. F.

Brawley, H. R. Vaughn, Richmond Fadden, Edward Williams, James A. Jenks, W. P. Blair, Joseph Greenwood, George H. Ames, Nick Hoffman, Z. M. Hunt, Michael McGuinness, James Hanrahan, William Budge, M. L. McCormack, O. S. Freeman, W. C. Nash, George W. Akers, Frank Veits, George B. Winship, Michael Ferry, John Island, Leon Surprise, J. S. Eshelman, Robert Coulter, Alex Griggs, R. M. Probstfield, E. R. Hutchinson. An entertaining letter was read from J. W. Taylor, United States consul at Winnipeg.

The association met at Pembina, October 13, 1881, F. T. Bradley, of Emerson, was elected president; J. M. Tennant, of West Lynn, secretary, and George B. Winship, treasurer; John Fadden, of Grand Forks, N. E. Nelson, of Pembina and J. B. Chapin, of Fargo, were elected vice presidents.

The following named persons were present and paid a fee of $1.00: Hugh O'Donnell, Chas. J. Brown, A. Carl, A. Walston, Capt. Alex Griggs, S. W. Ferry, Chas. Crawford, F. S. Freeman, Robert Ewing, M. L. McCormack, A. C. McCumber, H. R. Vaughn, S. C. Cady, Jacob Reinhart, Chas. Cavileer, W. J. S. Traill, A. W. Stiles, Wm. Camp, E. Armstrong, George B. Winship, Burt Haney, Frank Myrick, Captain Aymond, Judson LaMoure, N. E. Nelson, Norman Gingras, Andrew J. Nelson, Thos. Walsh, D. F. Brawley, John Fadden, F. T. Bradley.

Consul J. W. Taylor, A. G. Bannatyne, and Capt. H. S. Donaldson, of Winnipeg, E. C. Davis, of Crookston, and R. M. Probstfield, of Moorhead, were elected additional vice presidents.

There was no meeting of the association for ten years when they again met at Grand Forks for the purpose of re-organization, December 10, 1891, George B. Winship was elected president, and D. M. Holmes, secretary. N. K. Hubbard, O. H. Elmer, John Erickson, Frank Veits and Charles Cavileer were appointed a committee on permanent organization.

This committee limited membership to those who settled in the Red River Valley prior to December 31, 1875. Charles Cavileer, of Pembina; A. Sargent, of Traill; Jacob Lowell, of Cass; Hans Myhra, of Richland; O. H. Elmer, of Polk; John Erickson, of Clay; and David McCauley, of Wilkin; were elected vice presidents. J. W. Taylor, Robert Patterson, W. G. Fonseca, and E. L. Barber, of Manitoba, were elected honorary members.

Those present were George B. Winship, D. M. Holmes, J. B. Chapin, Jacob Lowell, N. E. Nelson, Robert Ewing, H. R. Vaughn, Richmond Fadden, P. P. Nokken, H. C. Myhra, Asa Sargent, P. S. Kelly, Halvor Thoraldson, E. M. Walsh, W. H. Moorhead, M. D. Campbell, George A. Wheeler, Thomas Campbell, Edward O'Brien, James A. Jenks, N. K. Hubbard, Z. M. Hunt, J. G. Hamilton, John W. W. Smith, Thos. Walsh, W. H. Brown, Michael Ferry, George H. Walsh, James Duckworth, Wm. Camp, Frank Veits, Joseph Jarvis, Casper Mosher, George H. Fadden, John Erickson, C. Cavileer, John N. Harvey, James Elton, O. H. Elmer, J. T. Taylor, R. Patterson, Ed Williams, George A. Wheeler, Jr., B. Haggerty, James K. Swan, W. J. Anderson, John O. Fadden, G. G. Beardsley, Philip McLaughlin, George E. Jackson, Walter J. S. Traill, Judson LaMoure, John Kabernagle.

The association met at Moorhead, December 7, 1892, George B. Winship was elected president, N. K. Hubbard, Job Herrick, S. G. Comstock, James Nolan, Asa Sargent, O. H. Elmer, and Chas. Cavileer, vice presidents. Ransom Phelps was elected local secretary, and D. M. Holmes, secretary.

Those present at this meeting were J. R. Harris, James Nolan, Frank Herrick, Job Herrick, Henry Wenans, F. J. Burnham, S. G. Comstock, James Holes, W. J. Bodkin, John Wold, Fred Ambs, Harry O'Neil, Jerome Daniels, J. C. Probert, J. B. Blanchard, Wm. W. Gamble, B. F. Mackall, W. H. Davy, A. F. Pinkham, John Reistad, Lewis Hicks, Andrew Hicks, Andrew McHench, F. J. Smith, P. H. Lamb, J. H. Sharp.

The next meeting of the association was at Breckenridge, December 6, 1893. Of the old members George B. Winship, Job Herrick, Frank Herrick, James Nolan, John Erickson, H. C. Myhra, and F. J. Smith were present. Frank Doleshy, Folsom Dow, Benjamin Taylor, Frank Formaneck, Menzel Niskesch, August Hoefs, Chas. Bladow, Frederick Hoefs, August Bendt, Erick A. Lein, John Myhra, Edward Connelly, Edward Hyser, D. Wilmot Smith, Peter Hanson, Aaron B. Lichta, Hans Martinson, and Anthony Nolan were admitted to membership.

James Nolan was elected president, W. J. Bodkin, B. Sampson, Frank Veits, Chas. Cavileer, Asa Sargent, N. K. Hubbard, and Folsom Dow, vice presidents; Frank J. Smith, secretary, and John Erickson, treasurer.

The association met at Fargo, December 6, 1894. Those present were John E. Haggart, S. G. Roberts, G. S. Barnes, H. G. Shurlock, Chas. B. Thiemens, Clement A. Lounsberry, Arthur Bassett, Frank Whitman, S. E. Herrick, Evan S. Tyler, Alex Gamble, Joseph Prevost, S. F. Crockett, Jas. H. Sharp, Edwin Griffin, Wm. H. White, Wm. O'Neil, Martin Hector, A. G. Lewis, G. J. Keeney, Jacob Lowell, James Holes, Harry O'Neil, George B. Winship, A. McHench, W. H. Brown, E. R. Hutchinson, Job Herrick, P. Kelly, Frank Veits, Jacob Reinhart, W. J. Anderson, J. A. Jenks, James Nolan, James Elton, R. M. Probstfield, W. J. Murphy, F. J. Smith and S. G. Comstock.

N. K. Hubbard was elected president, R. M. Probstfield, Chas. Cavileer, W. C. Nash, George B. Winship, C. W. Morgan, James Holes, Frank Herrick and Edward Connelly vice presidents; B. F. Mackall, secretary, and Wm. H. White, treasurer.

C. A. Lounsberry, Geo. B. Winship, S. G. Roberts, S. F. Crockett, E. S. Tyler, Chas. Cawileer and David McCauley were appointed a committee to gather facts concerning the early settlement and history of the Red River Valley. This resolution was upon the motion of W. J. Murphy of the Minneapolis Tribune.

S. G. Comstock, S. G. Roberts and A. McHench were appointed a committee to draft a constitution and by-laws for the association.

The association met at Grand Forks, December 26, 1895, George B. Winship presided in the absence of President Hubbard on account of illness. President Hubbard's address was read by Colonel C. A. Lounsberry. Those present were H. E. Maloney, James Colosky, C. F. Getchell, James Twamley, C. L. Gordon, Jorgen Howard, Frank Williams, Robert Anderson, C. W. Morgan, D. Perkins, A. Barlow, F. A. Wardell, J. E. Sullivan, A. H. Barlow, James Nesbitt, D. McDonald, James Smith, John Kinan, Wm. Skinner, Gus Williams, Thomas McVitre, O. Osmond and Christopher R. Coulter.

Colonel Lounsberry, from the historical committee, reported the work done by his committee, which included the establishment of The Record, for the purpose of gathering historical data, and was accorded a vote of thanks. The names of H. G. Stordock, James A. Jenks and John Island were entered on the death roll, and suitable resolutions of respect and condolence adopted.

The following officers were elected: President, Frank Veits; vice presidents. W. H. Moorhead, Pat Kelly, Jacob Reinhart, E. R. Hutchinson, Robert Coulter, James Nolan, Job Herrick; treasurer, D. M. Holmes and George B. Winship, secretary.

Those who settled in the Red River Valley prior to December 31, 1877, were voted eligible to membership.

The sixth annual meeting of the reorganized association was held at Pembina, December 18, 1896. The following members were present: W. H. Brown, Judson LaMoure, Joseph Colosky, C. A. Lounsberry, John Hater, E. K. Cavileer, Charles Cavileer, John Otten, James Carpenter, Frank Russell, Geo. Allard, F. A. Hart, Joseph Desloria, Andrew Cragin, Peter Hogan, Milo Fadden, H. E. Maloney, Frank Myrick, George B. Winship, Joe Parent, W. H. Moorhead, Fred Delisle, Joseph Morin, W. J. Kneeshaw, Thos. J. Neilson, Bradner Johnson, John Hogan, F. A. Wardwell.

It was ordered that all persons who settled in the Red River Valley prior to July 1, 1879, should be eligible to membership, and that a permanent secretary should be elected. The secretary, president and George B. Winship were appointed a committee on constitution and by-laws, and were directed to take whatever steps were necessary to secure the incorporation of the association under the laws of North Dakota.

Frank Veits was elected president, W. H. Moorhead, G. S. Barnes, James Carpenter, Pat Kelly, E. R. Hutchinson, Robert Coulter, James Nolan and Job Herrick, vice presidents; D. M. Holmes, treasurer, and C. A. Lounsberry, secretary.

The association was finally incorporated by the action of the seventh annual meeting.

ARTICLES OF ASSOCIATION OF THE RED RIVER VALLEY OLD SETTLERS' ASSOCIATION

Article I. This corporation shall be known as the Red River Valley Old Settlers' Association, and is incorporated under Sec. 3183 Revised Codes of N. D.

Article II. The general offices of this association shall be at Fargo.

Article III. This association shall exist for a period of forty years.

Article IV. The number of directors of this association shall be eleven, but the following shall constitute a first board of directors and shall execute these articles:

President—James K. Swan, Grand Forks, N. D.
Vice President—James Nolan, Wilkin County, Minn.
Vice President—Thomas McCoy, Traill County, N. D.
Vice President—James Carpenter, Walsh County, N. D.
Secretary—C. A. Lounsberry, Fargo, N. D.
Treasurer—D. M. Holmes, Grand Forks, N. D.

Article V. This association may become subordinate to a state organization of old settlers; and associations subordinate to this may be organized in each of the Red River Valley counties in Minnesota and North Dakota, having purposes in harmony with this organization.

Article VI. This association may hold real and personal property not exceeding in value $10,000. It may receive bequests for the purpose of establishing an historical and biographical library, for preserving its records, publishing its proceedings, biographical sketches, etc. When dissolved its property shall be turned over to the state for historical and library purposes.

Article VII. The private property of the members of this association shall not be liable for its debts.

In testimony whereof we have hereunto set our hands and seals this 29th day of September, 1897.

James K. Swan, [seal.]
James Nolan, [seal.]
Thomas McCoy, [seal.]
James Carpenter, [seal.]
C. A. Lounsberry, [seal.]

STATE OF NORTH DAKOTA } ss
County of Grand Forks,

On this 29th day of September, 1897, personally appeared before me James K. Swan, James Nolan, Thomas McCoy, James Carpenter, C. A. Lounsberry and D. M. Holmes, who, being duly sworn, doth each for himself say that he is an officer and director of the Red River Valley Old Settlers' Association, and that these articles of association are executed in accordance with a majority vote had at a regularly called meeting of said association held at Pembina, N. D., December 18, 1896, and that at a regularly called meeting of said association held at Grand Forks, September 29, 1897, by a majority vote they were especially designated to sign and file said articles of association.

J. G. HAMILTON,
Notary Public, Grand Forks County,
North Dakota.

Colonel Lounsberry was elected secretary for a term of six years.

The following is a list of members, with date of settlement, on the roster in 1895.

Alex Griggs, Grand Forks, November, 1870.
R. Fadden, Grand Forks, October, 1871.
M. L. McCormack, Grand Forks, March, 1871.
Geo. B. Winship, Winnipeg, May, 1867.
Z. M. Hunt, Huntsville, Minn., April, 1871.
Colin McFadden, Grand Forks, July, 1871.
George W. Akers, McCauleyville, October, 1870.
Burton E. Haney, McCauleyville, February, 1871.
Jacob Reinhart, McCauleyville, May, 1867.
Isaac Ward, Pembina, January, 1871.
Alex Blair, McCauleyville, January, 1870.
Alfred Wright, McCauleyville, May, 1867.

James Hanrahan, McCauleyville, April, 1867.
John Cromety, Pembina, June, 1871.
John Fadden, Grand Forks, June, 1871.
Matt McGuinness, Georgetown, April, 1871.
William Budge, Pembina, June, 1870.
Michael Ferry, Breckenridge, September, 1868.
George H. Ames, Pembina, May, 1871.
George H. Fadden, Grand Forks, July, 1871.
Edward Williams, Grand Forks, June, 1871.
A. W. Nalstreim, Grand Forks, May, 1871.
W. C. Nash, Pembina, November, 1863.
Frank Veits, Georgetown, September, 1871.
Leon Surprise, Fort Abercrombie, December, 1867.
Nick Hoffman, Georgetown, April, 1860.
John Connolly, Fort Abercrombie, August, 1869.
W. G. Woodnut, Sheyenne River, June, 1871.
Robert Coulter, Huntsville, Minn., June, 1871.
William Fleming, Huntsville, Minn., June, 1871.
B. S. Kelly, Kelly's Point, July, 1871.
Thomas Walsh, Grand Forks, April, 1871.
James McCrea, Grand Forks, June, 1871.
N. E. Nelson, Pembina, May, 1869.
B. F. Mackall, Moorhead, April, 1873.
D. F. Brawley, Pembina, 1870.
H. R. Vaughn, McCauleyville, 1870.
S. C. Cady, Pembina, 1869.
Joseph Greenwood, Grand Forks, 1871.
R. M. Probstfield, opposite mouth of Sheyenne River, 1859.
E. R. Hutchinson, opposite mouth of Sheyenne River, 1859.
Frank D. Myrick, Fort Ransom, 1857.
William Camp, Pembina, 1870.
A. W. Stiles, Pembina, 1870.
Edward Armstrong, Winnipeg, 1871.
Adolph Carl, Fort Abercrombie, 1870.
Frank Aymond, Pembina, 1867.
Charles Crawford, Fargo, 1872.
Samson W. Fry, Pembina, 1870.
Judson LaMoure, Pembina, 1870.
Robert Ewing, Dakota Lake, Minn., 1871.
Norman Gingras, born at St. Joseph.
Andrew T. Nelson, Pembina, 1871.
Charles Cavileer, Pembina, 1851.
F. W. Manley, North Pembina, 1870.
W. J. S. Traill, Georgetown, 1869.
Wm. H. Moorhead, Pembina, 1857.
Chas. B. Nelson, Pembina, 1851.
D. M. Holmes, Grand Forks, 1872.
Jacob Lowell, Fargo, October, 1870.

P. P. Nokken, Fargo, June, 1871.
H. C. N. Myhra, Richland County, June, 1871.
Asa Sargent, Caledonia, July, 1870.
P. S. Kelly, Caledonia, September, 1871.
Halver Thoraldson, Grand Forks, June, 1874.
Ed M. Walsh, Grand Forks, October, 1871.
M. D. Chappell, Grand Forks, April, 1873.
George A. Wheeler, Grand Forks, November, 1873.
Thomas Campbell, Grand Forks, August, 1872.
N. K. Hubbard, Moorhead, September, 1870.
J. G. Hamilton, Sisseton, April, 1875.
John W. Smith, Grand Forks, April, 1875.
William H. Brown, Grand Forks, 1875.
George H. Walsh, Grand Forks, April, 1875.
James Duckworth, Grand Forks, March, 1875.
Joseph Jarvis, Grand Forks, October, 1872.
Casper Moser, Crookston, 1872.
John Erickson, Moorhead, December, 1870.
John N. Harvey, Manvel, 1874.
James Elton, Georgetown, May, 1871.
O. H. Elmer, Moorhead, October, 1871.
George A. Wheeler, Jr., Grand Forks, November, 1873.
B. Haggerty, Grand Forks, May, 1884.
James K. Swan, Grand Forks, April, 1874.
W. Anderson, Grand Forks, April, 1875.
George G. Beardsley, Fargo, June, 1871.
Philip McLaughlin, Fargo, September 16, 1872.
George E. Jackson, Crookston, July, 1872.
Walter J. S. Traill, Fort Garry, July, 1866.
James Nolan, McCauleyville, July, 1865.
Frank Herrick, Old Crossing, July 20, 1870.
Job Herrick, Old Crossing, July 20, 1870.
Henry Wenans, Moorhead, March, 1873.
F. J. Burnham, Glyndon, April 20, 1872.
S. G. Comstock, Moorhead, June, 1871.
James Holes, Fargo, July, 1871.
W. J. Bodkin, Moorhead, December, 1868.
John Wold, Wild Rice, June 1, 1871.
Fred Ambs, Moorhead, August, 1871.
Harry O'Neil, Fargo, January, 1872.
Jerome Daniels, Glyndon, April, 1872.
J. C. Probert, Fargo, April, 1872.
J. B. Blanchard, Moorhead, August, 1871.
William W. Gamble, Fargo, August, 1873.
W. H. Davy, Moorhead, October, 1874.
A. F. Pinkham, Fargo, October 1, 1871.
John Reinstad, Kindred, September 1, 1870.
Louis Hicks, Hickson, June 2, 1872.

Andrew McHench, Fargo, November 2, 1870.
Andrew Hicks Hickson, June 18, 1871.
P. H. Lamb, Moorhead, June, 1872.
J. H. Sharp, Moorhead, June, 1872.
Folsom Dow, Wahpeton, 1871.
B. F. Menkens, Moorhead, 1872.
Peter Hanson, Breckenridge, 1871.
Hans Martinson, Tangberg, 1871.
Anthony Nolan, Fort Abercrombie, 1866.
Ransom Phelps, Wahpeton, 1871.
D. Wilmot Smith, Wahpeton, 1871.
Benjamin Taylor, Wahpeton, 1872.
John Myhra, Wild Rice, 1870.
Frank Famousch, Wahpeton, 1871.
Frank Doleshy, Wahpeton, 1873.
Samuel Taylor, Wahpeton, 1872.
H. C. N. Myhra, Kingsburg, 1871.
August Berndt, Hankinson, 1874.
Eric A. Lein, Dwight, 1875.
Fred Hoefs, Hankinson, 1874.
E. R. Hyser, Breckenridge, 1871.
August Hoefs, Hankinson, 1874.
Chas. Bladow, Hankinson, 1874.
John E. Haggart, Fargo, 1871.
S. G. Roberts, Fargo, 1872.
G. S. Barnes, Glyndon, 1872.
Chas. B. Thiemens, Fargo, 1873.
Clement A. Lounsberry, Fargo, April 4, Bismarck, May 11, 1873.
Arthur Bassett, Glyndon, 1872.
Frank Whitman, Fargo, 1871.
S. E. Herrick, born in North Dakota, 1873.
Evan S. Tyler, Fargo, 1873.
Alex Gamble, Fargo, 1872.
Joseph Prevost, Wolverton, Minn., 1867.
W. H. White, Fargo, 1872.
A. H. Morgan, Frog Point, 1871.
N. B. Pinkham, Fargo, 1871.
William O'Neill, Fargo, 1872.
Martin Hector, Fargo, 1872.
G. J. Keeney, Fargo, 1871.
H. E. Maloney, Grand Forks, 1873.
Jos. Colosky, McCauleyville, 1871.
C. F. Getchell, Frog Point, 1872.
James Twamley, Grand Forks, 1876.
C. L. Gordon, Caledonia, 1871.
Jorgen Howard, Clay County, Minn., 1873.
J. F. Williams, Breckenridge, Minn., 1875.
Robert Anderson, Grand Forks, 1871.

C. W. Morgan, Goose River, 1872.
D. Perkins, Grand Forks, 1874.
A. Barlow, Grand Forks, 1875.
F. A. Wardwell, Glyndon, 1873.
J. E. Sullivan, Grand Forks, 1875.
A. H. Barlow, Grand Forks, 1876.
Robert Ray, Belmont, 1871.
J. A. Barlow, Grand Forks, 1876.
James Nesbit, Huntsville, 1874.
Terrence Martin, Fargo, 1871.
D. McDonald, Vermilion, 1873.
Jos. Smith, Grand Forks, 1871.
John Kinnan, Fargo, 1871.
William Skinner, Fisher, 1873.
Gus Williams, Walshville, 1873.
Thomas McVeety, Polk County, Minn., 1871.
O. Osmond, Polk County, Minn., 1871.
C. R. Coulter, Polk County, Minn., 1872.

September 29, 1897, the following additional members were registered:

Hugh Parr, Kelly's Point, 1876.
James O'Reiley, Grand Forks, 1879.
Donald Stewart, Forest River, 1878.
Alexander Oldham, Grand Forks, 1877.
H. H. Strom, Traill County, 1878.
C. O. Maloney, Grand Forks, 1875.
John Swift, Grand Forks, 1874.
William Code, Park River, 1878.
James Peete, Grand Forks, 1878.
M. C. Gaulke, Grand Forks, 1878.
Thos. Nisbet, Mallory, Minn., 1878.
Wm. H. Standish, Polk County, Minn., 1879.
Louis A. Lhiver, Grand Forks, 1878.
M. Addison, Grand Forks, 1879.
H. D. Cutler, Grand Forks, 1879.
H. Arnegaard, Hillsboro, 1871.
M. D. Chappell, Grand Forks, 1873.
L. M. Anderson, Pembina, 1872.
M. L. Enright, East Grand Forks, 1872.
Peter Gannaw, Frog Point, 1871.
H. P. Ryan, Grand Forks, 1878.
Geo. F. Whitcomb, Fort Abercrombie, 1865.
C. A. Lounsberry, Fargo, April 4, 1873.
Geo. J. Longfellow, Fargo, 1879.
Wm. Ackerman, Abercrombie, 1866.
John O'Leary, Grand Forks, 1878.

HUBBARD'S SURE TIP

N. K. Hubbard, in his address to the Old Settlers' Association, November 26, 1895, said:

"It was my good fortune to be associated with our friend, Frank Veits. We came together from Geneva, Ohio, to make our fortunes in the West. We proceeded to Georgetown, seventeen miles north of Fargo, where we found Adam Stein occupying the old Hudson's Bay Hotel. Jacob Lowell, Jr., had also come on an intimation from A. B. Stickney that Georgetown was near the probable crossing of the Red River by the Northern Pacific. And Back, the friend, adviser, relative and representative of Horace Austin, then governor of Minnesota, was there also. Walter J. S. Traill, for whom Traill County was named, was agent at Georgetown for the Hudson's Bay Company. George Sanborn, a friend and acquaintance of William Windom, was also there. We were waiting and watching, and finally the glad tidings came from Cooke. Pitt Cooke, a brother of Jay Cooke, visited Georgetown and selected the crossing. The message was delivered to the Northern Pacific surveyors by me. The order was to locate the crossing at the mouth of the Elm, about eight miles east of Grandin. Veits and I were first to know it. Imagine my joy. We all went to the Elm River excepting Veits, wiser than the rest, who continued furnishing entertainment for man and beast. He paid Adam Stein $100 to move out and let him in. Not for the property, for that belonged to the Hudson's Bay Company, but to give him possession and the opportunity to entertain the coming hosts, for we all realized what a rush would come. We knew the country and correctly estimated its value. We all built log houses at Elm River and most of the party stayed there a whole year before Lowell, who made daily trips up and down the river in connection with Back and McHench, each having their beat for patrolling the river from Sheyenne to the Elm, discovered Beardsley at work on the townsite at Fargo. And then Elm River was abandoned. I had gone east after two months' waiting, and when I returned a jumper occupied my cabin and demanded $600 before he would give possession. I let him keep it and engaged in business at Oak Lake. The crossing was not established for a year later, and then twenty-seven miles south of the point named in my sure tip.

"This was in 1870. Then the entire white population of North Dakota would not exceed five hundred. There was a small settlement at Pembina, mostly Government employes connected with the custom house or the trader's store. There were two or three settlers at Grand Forks, among them Nick Huffman. Ed Griffin lived in Cass County, but Fargo was not located. Georgetown was the metropolis of the valley. The nearest land office in North Dakota where land could be entered was at Vermilion, S. Dak. But little land had been surveyed, and that about Pembina. Not an acre had been entered, not a bushel of grain had been raised in the valley for shipment abroad, and not enough to feed even the few families found scattered here and there along the river. The Red River cart was the only means of transportation that had been put on. L. H. Tenny and myself came into the country on horseback from St. Cloud. Tenny settled at Glyndon and became the father of the Northern Pacific Elevator Company, with George S. Barnes, his practical worker, the moving force. Not until December, 1870, was there a single entry of land made in North Dakota. There was no Fargo or Moorhead. Not one settler had yet entertained the idea of occupying the rich lands in its immediate vicinity. Grand Forks was not even a voting precinct, and all of the valley was Pembina County, which was the only civil organization in what is now the state. There was a postoffice at Pembina, Fort Totten, old Fort Ransom, and Abercrombie, but that was all. Much of the state was an unknown land, visited only by Indians, traders, missionaries and Government expeditions. Fremont visited Devils Lake in 1839. Catlin came and saw but went away without conquering, in 1841. Sully and Sibley visited parts in 1862 and 1863. Hatch's battalion occupied Pembina in 1862. Lewis and Clark had visited the Missouri River region in 1805, and it was their report which gave the world the first idea of the unparalleled resources of the Northwest and led to its general occupation by traders. The John Jacob Astor Company, formed in 1808, occupied the Missouri and the James River Valley for a time, but the War of 1812 forced their consolidation with the North-Western, which in turn was consolidated with the Hudson's Bay Company. Then came the Columbia Fur Company, which occupied all of this region for a time, but gave place to the independent traders who disputed the ground with the Hudson's Bay Company until after the settlers of 1870 came into possession of a goodly portion of the land. The theme is interesting, but let us glance at the later development.

"Twenty-five years ago, in all North Dakota there were only watchers and waiters for the Northern Pacific Railroad crossing the Red River, bent on townsite speculation, and these could be counted on the fingers of your two hands, outside the settlement at Pembina, and the occasional wood chopper or keeper of the stage stations along the river and those at the military posts. * * *

"In the early history of the Red River Valley the Hudson's Bay Company had a line of vessels running from Hudson's Bay to England, which made annual trips, bringing the mail and supplies once a year and carrying back the following summer the winter catch of furs. In mid-winter dog sledges were sometimes sent through to Montreal with later communications and orders for goods to be delivered the following August. Subscribers for the London papers received 365 copies at one time and even in our day the wife of our oldest settler, Mrs. Cavileer, a descendant of one of the original Selkirk settlers, informs us the subscriber read only one copy a day, that of the corresponding day of the year before. It was not until Commodore Kittson arrived at Pembina in 1843 and established a trading post, which soon led to monthly mails, that the system of yearly mails was improved upon."

PART IV

CHAPTER XXIV

DIVISION OF THE TERRITORY

The Territory of Dakota was organized by the Congress of the United States by the act of March 2, 1861. Prior to the passage of this act by Congress, a few enterprising spirits had crossed the confines of Minnesota and Iowa, and established homes along the banks of the big Sioux and Missouri rivers, and founded the cities of Sioux Falls, Vermilion and Yankton, but settlements in North Dakota were principally at Pembina, until the Northern Pacific Railroad crossed the Red River and founded the City of Moorhead on the east bank and Fargo on the west. From that time forward settlers, attracted by the liberal provisions of the homestead law, and the rich agricultural lands of the Red River Valley, poured into North Dakota in streams, and the population increased from 2,405 in 1870 to approximately one hundred and eighty thousand in 1889, when Dakota was divided on the seventh standard parallel and North Dakota admitted as a state in October, 1889. The act of Congress creating the territory is known as the "Organic Act"—it was the constitution of the territory, its charter of government. A territory is a state in a chrysalis form, and the bonds which clothe this chrysalis form are broken only with the consent of Congress.

In states, all the sovereign power is in the people, but so far as a territory is concerned, the sovereign power is lodged in Congress. A territory has no original or sovereign power of legislation, all its powers are delegated by Congress, and while the people of the state may create governments with legislative, executive and judicial powers, the people of a territory cannot do so until authorized by Congress.

The enterprising, virile people who had established homes in the territory had come largely from the old states, though many came from the northern states of Europe and Canada. They understood the principles upon which this government was founded, and were restive under the territorial form, regarding it as servile, and therefore intolerable. They wanted relief from the irresponsibility of appointed rulers and judges, and a voice in the selection of those who should govern them. The rapid increase in the population and material wealth demanded, as its people believed, for the promotion of their welfare and the betterment of the varied interests, a more permanent form of government than was possible under the territorial form prescribed by Congress.

The division of the Territory of Dakota into two states or territories on an east and west line along the seventh standard parallel was a burning question from the creation of the territory until its consummation in 1889. Hence a brief review of the territorial days is essential to a clear understanding of the causes and influences which induced Congress to form the State of North Dakota. and admit it as a sovereign state to the Union.

The Territorial Legislature of 1871 adopted a memorial to the Congress, praying for the division of the territory on the forty-sixth parallel of latitude, and similar memorials were adopted by the Legislatures of 1872, 1874, 1877. The construction of the Northern Pacific Railroad across the state to Bismarck in 1873 intensified the interest of the people in division, and from that time forward the movement for division constantly figured in congressional annals.

As early as 1873, Senator Ramsey of Minnesota introduced a bill in the United States Senate for a territory for the north half, to be known as Pembina. The bill was defeated. In 1875, Senator Windom of Minnesota introduced a bill in the United States Senate for the creation of the Territory of North Dakota, and providing a temporary government therefor. This bill was favorably reported from the committee on territories in the Senate and passed by the Senate. It went to its death in the committee of territories in the House. The question of division and admission was before every session of Congress, either by bills of division and admission, by petitions of residents of the territory, memorials of its Legislatures or by resolutions of conventions called to consider the subject, for a period of sixteen years.

The real battle for division and admission began in the territorial legislative session of 1883. That assembly established a university at Grand Forks, an insane asylum at Jamestown, and a penitentiary at Bismarck. It authorized the issuance of bonds to construct necessary buildings, and provided that in the event of division, the bonds should be assumed and paid by North Dakota, and made quite liberal appropriation, in view of the financial condition of the territory, for the maintenance of these institutions for the ensuing two years. It also located an agricultural college at Fargo, but made no appropriation therefor. The location was conditioned upon the donation of a suitable site of at least forty acres by the citizens of Fargo. The condition was never complied with, and there was no agricultural college in the north half of the territory until statehood. It located the Normal School at Minto, in Walsh County, but made no appropriation therefor. That assembly also passed an act for the removal of the capital from Yankton, through a capital commission of nine persons, who were authorized and empowered to remove the capital from Yankton, and locate it at some place more convenient and accessible to the people generally. It was urged as a reason therefor that the great railroad systems which now traverse the State of South Dakota would, in the selection of a site by the Legislature, control the location to the detriment of the people, whose interests would be better safeguarded by a commission. The Legislature left the selection of the site to the judgment of the commission, but as a majority of the commission were from that part of the territory now constituting the State of South Dakota, it was assumed that some town in the central portion thereof would be selected.

Some members of the Legislature who voted in favor of the law creating the commission claimed there was a passive understanding, in fact an agreement by the proponents of the measure, that the commission would select as a site for the "seat of government" the Town of Redfield, situated in nearly the central part of South Dakota, and save for this understanding the commission scheme would have been defeated. No proof of such agreement was ever forthcoming, and the

RICHARD F. PETTIGREW

Came to Sioux Falls in 1869. Territorial legislator, delegate to Congress in 1881 and first United States senator from South Dakota.

JUDGE JEFFERSON P. KIDDER, 1865

Delegate to Congress from 1875 to 1879. Judge of the United States District Court, first Dakota district from 1865 to 1875 and from 1879 to 1883. Died in office.

MORGAN T. RICH

First settler at Wahpeton, for whom Richland County was named.

HENRY CLAY HANSBROUGH

First mayor of Devil's Lake; first member of Congress from North Dakota 1889-1891; United States senator 1891-1909.

fact that Aberdeen, Huron, Sioux Falls and Pierre, in South Dakota, vigorously competed for the location seemingly negatives such claimed agreement.

The committee visited all the localities in South Dakota which offered inducements for the capital location, and inspected a location at the south end of Devils Lake, and also Bismarck, in North Dakota.

The act creating the commission left it untrammeled in the selection of the site, save that the place chosen should donate to the territory at least 160 acres of land and contribute $100,000 for the erection of a capitol building. Bismarck complied with these conditions and in June, 1883, at a meeting of the commission held at Fargo, Bismarck was selected by a vote of five to four, as the "seat of government."

The business men of Fargo filed a protest against the selection of Bismarck, and demanded that Burleigh F. Spalding, a resident of Fargo, and a member of the commission, vote against Bismarck. Alexander Hughes, William E. DeLong and John P. Belding of South Dakota, Alexander McKenzie and Milo W. Scott of North Dakota, voted for Bismarck. B. F. Spalding voting for Redfield. This selection surprised the people of the territory. South Dakota was wild in its protestations, denouncing the act of the commission in the strongest possible terms.

Upon the relation of the district attorney of Yankton, an action was instituted in the nature of "Quo Warranto" to oust the commission from office, on the ground that the law was in contravention of the "Organic Act," which provided that the seat of government should be selected by the governor, and the Legislative Assembly, and that the Legislature could not lawfully delegate the right and power to a commission to remove the capital and locate it elsewhere.

The commission answered this complaint, and the cause was tried before Chief Justice Edgerton, at Yankton. Motions for judgment were made by both parties upon the pleadings. The motion of the district attorney for Yankton was sustained and on August 27, 1883, Judge Edgerton rendered judgment:

"That said defendants, and each of them, be and they are hereby forever ousted and excluded from said office of commissioners mentioned in said action in the complaint described, and from all franchise and privileges made, enumerated or included therein."

The chief justice filed no written opinion stating the grounds upon which the judgment was based. From this judgment the commission appealed to the Supreme Court of the territory. The leading counsel for the commission was William F. Vilas, of Madison, Wis., who afterwards became a member of the cabinet of Grover Cleveland. He was ably assisted by W. P. Clough of St. Paul, later vice president of the N. P. Railway, and Alexander Hughes of Yankton, who was a member of the commission, and also the attorney-general of the territory, an office which had been created by the Legislature of 1883. The respondents were represented by Bartlett Tripp, a notably able lawyer; Gideon C. Moody, afterwards a United States senator from South Dakota; John R. and Robert J. Gamble, later elected to Congress and the United States Senate, respectively, from South Dakota; and Ellison G. Smith, the district attorney, all being residents of Yankton.

This array of counsel filed exhaustive briefs covering every phase of the subject and supplemented the briefs by oral argument to the court. A majority of the court after due consideration reversed the judgment of the District Court, deciding:

"That in their opinion the appellants were lawfully entitled to exercise the duties of their appointment under the act in question."

Chief Justice Edgerton dissenting held:

"From the whole case I must conclude that the act of the Territorial Legislature creating the capital commission was unwarranted and invalid."

The act of the commission in selecting Bismarck as the seat of government unified the people of North Dakota. It increased the discontent prevailing in the southern part of the territory and hastened division.

CONVENTIONS

A convention of 188 delegates representing thirty-four counties in the southern portion of the territory assembled in Huron in June, 1883, and demanding a division of the territory on the forty-sixth parallel, provided for a convention to meet at Sioux Falls and frame a constitution. This convention met in September. 1883, and after a session of fourteen days formulated a constitution and submitted it to the electors in the forty-two counties of South Dakota, by whom it was adopted. This constitution was submitted to Congress and on February 29th Benjamin Harrison, then a senator from Indiana, and chairman of the Committee on Territories, reported from that committee a bill to enable the people of that portion of the state south of the forty-sixth parallel to become a state. The bill was recommited by the Senate, but again reported on March 19, 1884. It was considered by the Senate December 9, 1884, and passed the Senate December 16, 1884. It was messaged to the House and failed of passage there.

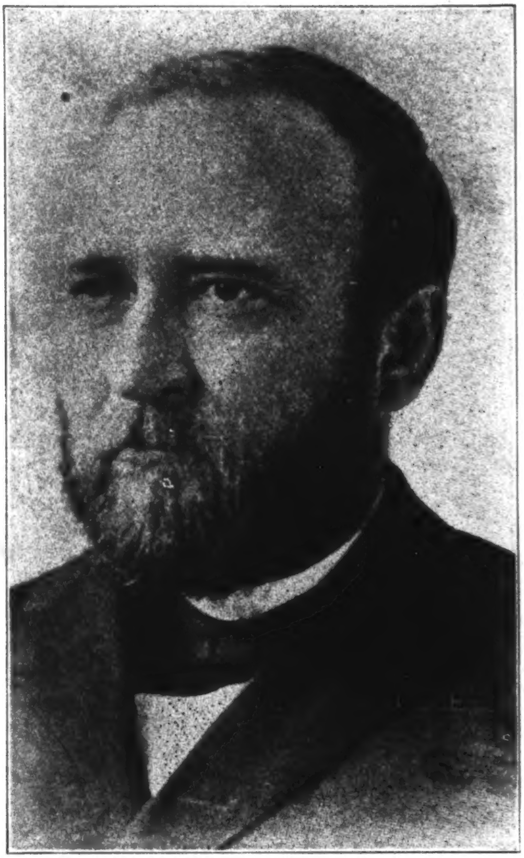
North Dakota also held conventions. One was called to meet at Fargo January 4, 1882, to take some action favoring the admission of the territory as a whole, or its division. It appointed a committee to proceed to Washington and urge Congress to divide the territory.

In 1887 the north half of the territory sent delegates to a convention which assembled at Aberdeen. Brown County was the only county in South Dakota represented. This convention adopted a resolution which declared that the territory should be divided into two states, the north half to be named North Dakota.

A third convention met at Jamestown in 1888. It adopted a memorial on the division of the territory in the two parts and the admission of both North and South Dakota as states, and appointed a committee to present this memorial to Congress.

The Territorial Legislature which assembled at Bismarck in January, 1885, adopted and forwarded to Congress a memorial providing for the admission of South Dakota as a state. This memorial was an able document. In intense, pertinent and trenchant language it enumerated reasons why division should be had, and the admission of South Dakota as a state be granted, but Congress failed to act thereon until December 15, 1885. In the meantime a second constitutional convention was held at Sioux Falls, in September, 1885; it framed and submitted a constitution which was ratified by the people of South Dakota, by an overwhelming vote.

This constitution and the memorial of the Legislature of 1885 were pre-



ARTHUR C. MELLETTE

Tenth governor of Dakota Territory, March to November, 1889 sented to the Senate by its president pro tem., John Sherman, on December 15, 1885. Senator Harrison introduced a bill to admit South Dakota as a state, and to organize the Territory of North Dakota, on that date. This bill with an amendment substituting Lincoln instead of North Dakota, as the name of the new territory, passed the Senate February 5, 1886. It was reported adversely by the House Committee on Territories.

Bills were introduced in January, 1886, to admit the entire territory as a state, to divide the territory on the Missouri River, to organize the Territory of Lincoln, to enable the people of the territory east of the Missouri to frame a constitution and be admitted as a state, to admit the entire state and to organize the Territory of North Dakota.

In the congressional sessions of 1887 and 1888, other bills were substituted for these. Bills which proposed the admission to statehood of Washington, Dakota, Montana, and New Mexico. A bill to admit Dakota passed the Senate, no bill to divide the territory and admit the states of North and South Dakota passed either house of Congress in 1887-1888.

The Territorial Legislature of 1887 submitted the question of division to a vote of the people, at the general election in November, 1887. The governor of the territory was empowered to proclaim the result of the election when it was certified to him by the proper canvassing board. The full returns of the election were not received until January 10, 1888; and on January 12, 1888, Governor Church issued his proclamation showing that 67,618 votes were cast, of which 37,784 favored division, and 32,913 opposed. A majority of 4,871 for division. The counties in North Dakota gave a majority of 10,284 against division. Only four counties in North Dakota favored it, viz.: Burleigh, Grand Forks, Ramsey and Ward.

LEGISLATIVE ACTION

The resentment of South Dakota resulting from locating the capital at Bismarck was forcibly shown in the Legislature of 1888. It re-enacted the law of 1883 locating the agricultural college at Fargo, and authorized the issuance of bonds for the university to cover deficiencies incurred in the course of the construction of its buildings. It extended the time one year in which the citizens of Fargo could comply with the conditions prescribed in the law of 1883, but did not authorize the issuance of bonds to construct buildings, nor appropriate for its maintenance.

The South Dakota members strenuously resisted appropriations for the maintenance of the university, penitentiary and insane asylum. The capital commission had issued warrants in payment of the excess of the cost of constructing buildings in a sum exceeding $30,000; it had incurred an indebtedness of $5,258.59 for furniture to equip the offices of territorial officers and legislative halls, $4,198.45 for carpeting the same, $10,561.46 for heating apparatus and $1,415 for plumbing. A prolonged struggle over these items continued until near the close of the session, when representatives of districts in South Dakota, in which public institutions were located, becoming alarmed at the possibility of the defeat of every appropriation to maintain them, agreed to the expedient of omnibussing all appropriations and combining with a solid North Dakota vote, passed in the

House a law appropriating for all the institutions north and south, for the maintenance of the capitol and for payment of the indebtedness incurred by the capital commission excepting the warrants for capitol construction. The Legislative Council refused to concur in many of the provisions of this bill and it was referred to a conference committee to adjust the differences between the respective houses. The conference continued a number of days, the House adhered to the omnibus bill and the Council finally yielded its opposition, and agreed to the bill with a proviso added:

"Not to be construed as a ratification or endorsement of the acts of the commission locating the capital at Bismarck."

As a further step in the direction of statehood, this session made provision for a census. It divided the territory into two districts, and Maj. Alanson W. Edwards, of Fargo, was selected to superintend the taking of the census of North Dakota. He reported to the national Government a total population of 152,199 in North Dakota. This was greater than the ratio prescribed for a congressman, and the question of sufficient population to entitle North Dakota to statehood was settled.

The difference between North and South Dakota gradually widened in 1886-87. South Dakota refused to be reconciled to the removal of the capital from Yankton. It controlled the Legislature of 1887, and the intention to continue the fight against the commission and other institutions was manifest in the early days of the session. Better counsels, however, prevailed and both sections were treated fairly in the distribution of the funds of the territory. It submitted, however, the question of division to a vote of the people at the general election in November. The heavy vote against the division in North Dakota was a surprise, and was accounted for on the theory that the then democratic national organization was hostile to division and was unfavorable to admission to the Union, either as one or two states. The only evidence introduced to support this theory was the open opposition of leading democratic officials in both sections of the territory to division.

The democratic counties polled heavily against division. The election of Benjamin Harrison as President in 1888 had a most salutary effect upon the division and admission of the Dakotas. As a senator he was a staunch advocate of division and admission. It was claimed that he might call a special session of Congress in March to take action on this subject. Confronted with this possibility, members of the House who had antagonized admission of any more states, "changed front" and pledged support to the Springer omnibus bill, which the House early in January considered. It amended the act which provided for the admission of Dakota, Montana, Washington, Idaho and New Mexico, by adding the words "In lieu of the State of Dakota, the states of North and South Dakota," and passed the bill as so amended. The Senate refused to concur in the House bill and eliminated Idaho and New Mexico therefrom, and requested a conference of the two Houses to compromise their differences and at once appointed the Senate conferees. The House agreed to the conference February 2d. The conference later reported a disagreement to the respective Houses. Their report was considered by the House, instructions were given and a second conference granted. The report of this conference was presented to the Senate on February 20th and agreed to without division. It was forthwith transmitted to the House, which adopted the report and thus passed the bill which admitted the four states of North and South Dakota, Montana, and Washington into the Union.

The bill was presented to President Cleveland for his signature, and he complied with the suggestion of Springer, who for reasons of sentiment desired the bill signed on the anniversary of the birth of George Washington, first President of the United States, and affixed his signature to the Enabling Act on February 22, 1889.

The last Territorial Legislature convened at Bismarck, in January, 1889, and in anticipation of statehood enacted but few laws outside of appropriations. There was no contest over these as in former years, and all institutions were allotted an equitable share of the prospective income of the ensuing two years. It authorized an election be held April 7, 1889, to choose delegates to a constitutional convention to be held at Grafton, on the second Tuesday of May, 1889, the act to be inoperative if Congress passed an "enabling act" prior to the date of holding the election.

This was the most important act passed and over which a good natured contest was had in designating the place of holding it. The South Dakota members of the Legislature left the selection to the North Dakota members, and agreed to vote for the place which received a majority vote of the North Dakota members. Grafton won.

The following statement as to Governor Ordway was written by this writer in 1889:

"Ex-Governor Ordway, who had served twelve years as sergeant-at-arms and paymaster of the United States House of Representatives, and several terms in both branches of the New Hampshire Legislature, was appointed governor of Dakota in May, 1880, to succeed Governor William A. Howard, who died at Washington, while filling out a term as governor of Dakota. Governor Ordway, having had pretty large experience in public life, determined to make himself personally acquainted with every part of the territory over which he was called upon to preside, and after having cleared up the executive work which had accumulated during Governor Howard's illness at Yankton, started up the Missouri River to Fort Sully, where he took an ambulance across the Big Sioux reservation to the Black Hills, traversing the rolling prairies and taking account of the resources of that vast country which was still in the possession of the Indians.

"The presence of the new governor in the Black Hills pleased the people, and the governor was royally entertained for nearly two weeks, during which he explored nearly all the principal mines, and procured large quantities of specimens, to be forwarded by express, to make up an eastern exhibit, which he was co-operating with the Northern Pacific Railroad in arranging, with the view of bringing in immigration and developing the country. From the Black Hills he took transportation 250 miles to Bismarck, in the north; and thence, examining the famous wheat fields and procuring specimen products in the James, Red and Sioux River valleys, returned to the Missouri River Valley and Yankton, the seat of government. Remaining there for a period to attend to accumulated business, he afterwards shipped the products thus secured to Chicago, to be placed in the elegant car specially built by the Northern Pacific Railroad Company, for a complete exhibit of the products of Dakota and other territories on their line, which was en route for the New England Agricultural Fair, to be held at Worcester, Mass., in September, 1880. The governor, by special invitation, accompanied this exhibit, which embraced almost everything grown in the various counties in Dakota, and was the guest of the City of Worcester and the New England Agricultural Society for the entire week of the fair. During this time many thousands of people visited the car, and entered their names upon a register prepared for that purpose, requesting printed documents giving information as to the resources of this new country and its vast wheat fields. The governor remained east until November, only returning to Yankton in season to cast his vote at the November election. During this period the exhibition car was taken all over New England and a considerable portion of the Canadas, thus securing the names and addresses of nearly two hundred thousand land seekers or applicants for information in regard to the new Northwest. This exhibition of the resources of Dakota undoubtedly started and kept in motion the unprecedented boom which followed in 1881, and continued during nearly all of Governor Ordway's term.

"The Territorial Legislative Assembly convened at Yankton in January, 1881, at which time the governor found himself confronted with very grave responsibilities. The territorial laws required the governor to make contracts with the managers of insane hospitals and officers of penal institutions in adjoining states, for the keeping of all the indigent insane and convicts sentenced and decreed to be confined in the territory. This requirement was practically impossible, as the insane hospitals in adjoining states were all filled to overflowing, and there was no desire on the part of any of the states to increase the number of convicts in any of these institutions. The outstanding securities of the territory bearing 10 per cent interest were selling at 80 cents on the dollar, and there was not a piece of brick, stone or iron laid in any suitable public building. The governor earnestly called attention to this state of things in his first message, and by subsequent appeals secured the enactment of laws providing for the erection of a comparatively fire proof insane asylum at Yankton, and a stone penitentiary at Sioux Falls, for which bonds bearing 6 per cent interest were authorized. An appropriation was also secured for a small deaf mute asylum at Sioux Falls.

"This first session of the Legislative Assembly was rather exciting, and at some times the relations between the legislative and the executive departments were considerably strained over the governor's determination to prevent the issue of any bonded indebtedness by counties or municipal corporations, unless the same had been approved by a vote of the people, the governor deeming this precaution necessary to keep down an incipient spirit of wildness, tending to repudiation. The records of the territory show that the governor withheld his signature to nearly or quite one-third of the acts passed by that Legislative Assembly.

"Immediately following the adjournment of the Legislative Assembly, disastrous floods caused by immense ice-gorges in the Missouri River, swept over a large portion of the lower Missouri and Sioux River valleys, carrying away houses and destroying thousands of horses, cattle and other domestic animals, and driving several thousand people from their homes, leaving them in a destitute condition. At the request of the mayor and an executive relief committee of the City of Yankton, Governor Ordway, who was at Washington, secured supplies from the war department for the immediate relief of the settlers, which were stored for feeding the Indians along the river, and subsequently the governor visited New York and Boston, endorsing the appeal made by the Yankton aid committee for aid, and was thus enabled to forward several thousands of dollars in money and seven or eight tons of clothing and other necessary supplies which the people of the East freely contributed to the sufferers by these disastrous floods.

"During the summer of 1882 the governor made a tour of inspection through the center of the territory, traveling over the fertile prairies nearly four hundred miles from Yankton to Fort Totten, and in the fall of 1882 he made a very exhaustive report to the secretary of the interior of the condition and resources of the whole territory.

"When the Legislative Assembly convened at Yankton in January, 1883, although the insane hospital at Yankton and the penitentiary at Sioux Falls had both been completed and placed in good running order, the capacity of these institutions was found to be entirely inadequate to the rapidly increasing requirements. The governor recommended the enlargement of both these institutions, and secured aid from the United States for a wing to the penitentiary, which would accommodate prisoners sentenced by the United States courts. He also recommended an appropriation for a suitable stone structure as a deaf mute school, the small one previously provided for at Sioux Falls having got well under way, but not being fire proof; and as under a previous act, Clay County and the City of Vermilion had established the foundations for a small university, the governor recommended its enlargement and endowment by the territory, and a sufficient appropriation to found a creditable university for the southern portion of the territory. And, inasmuch as communication between the northern and the southern portion of the territory had to be carried on through Minnesota and Iowa, the governor advised that a large saving would be made by the erection of another penitentiary at Bismarck, on the Missouri River, which would be a great saving in the cost of transportation of prisoners from the Black Hills and the northern portion of the territory; also, that another insane asylum be provided for at Jamestown, and another university to accommodate the rapidly increasing population of the north, at Grand Forks, on the Red River.

"In order to encourage a better and more thorough system of tilling this rich soil, the governor recommended and approved bills for the establishment of an agricultural college at Brookings, in the south; also at Fargo, in the north; and in order to secure a higher grade of teachers he advised the Legislature to endow a normal school at Madison, and another one of the same character at Spearfish, in the Black Hills,—thus giving the southern and the northern portions of the territory duplicate institutions, which would enable them to perform all the duties and obligations which are usually imposed upon states; in fact laying the foundation for a division of the territory and the creation of two states.

"The Legislative Assembly, realizing the phenomenal increase of population and taxable property in the territory, by a nearly two-thirds vote adopted all of the governor's suggestions, and made such appropriations as could safely be made within the approximate increase of the resources of the territory for the next two years, leaving, when these buildings were all completed, a 5 and 6 per cent bonded indebtedness of less than four hundred thousand dollars, which securities were sold by advertisement in the open market, at from 3 to 5 per cent above par.

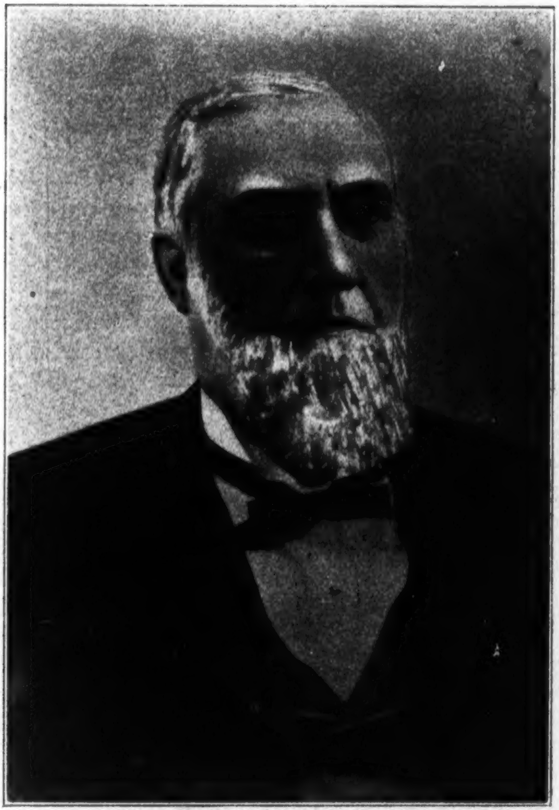
"Yankton being situated in the extreme southeast corner of the territory, and the development in the northern and central portion having become so great, the Legislative Assembly, without any suggestion from the governor, after the appointment of committees to consider the subject, decided by nearly a two-thirds vote to change the seat of government to some more central and accessible locality, provided some such town or place would erect and convey, without expense to the territory, a capitol building suitable for the transaction of the public business, with sufficient grounds for its completion and embellishment. The governor approved an act providing for commissioners to carry out the will of the Legislative Assembly, and a capitol was built and the seat of government changed thereunder from Yankton to Bismarck, which was exactly in the center east and west, but somewhat north of the geographical center of the territory.

"Thus at the end of Governor Ordway's term, the last of July, 1884, all these penal, charitable and educational institutions had been erected and put in successful operation and the capitol built and occupied, leaving a bonded indebtedness of less than four hundred thousand dollars, to meet which there was a surplus in the territorial treasury of $200,000 towards paying this bonded indebtedness as it became due. The governor not only recommended and approved the acts for building all of these public buildings, but, as a member ex officio of the different boards, he exercised a personal supervision over their construction, traveling all over the territory to assist in laying out the grounds and attending to the organization and meetings of the various boards, without ever having presented a bill or drawn one dollar for the per diem and expenses which the officers of these institutions were entitled to receive under the territorial laws—the governor holding that the organic act of the territory, which must be regarded as its constitution, prohibited Federal officers from drawing salaries from the people of the territory.

"After Governor Ordway retired from the executive office he organized the Dakota and Eastern Land and Loan Company, and gave his attention to securing eastern capital for the use of the settlers, through the First National Bank of Pierre, and the Capital National Bank of Bismarck, both of which institutions he organized, and he was the first president of each.

"Governor Ordway served as a commissioner for Dakota, under an appointment from Governor Pierce, on the centennial board of one from each state and territory, for celebrating the adoption of the constitution at Philadelphia, during the years 1886 and 1887, and honored Dakota by being placed by the full board of commissioners upon the executive committee for making all the arrangements for that historic gathering; was selected to respond at the great banquet for all the territories; and on the day of the final ceremonies in front of Independence Hall, was selected, on account of his large acquaintance with the public men of the country, as a member of the committee on reception. He also represented Dakota in behalf of the governor, on the various boards during the year 1888 of the proposed National Exposition, to be held in Washington in September, 1889.

"During the sessions of Congress in 1887 and 1888 he gave a large portion of his time at Washington seeking to impress upon the members of Congress and the friends of the Indians the advisability and justice of opening to settlement such portions of the Indian reservations as were not required or used by



NEHEMIAH G. ORDWAY
Seventh governor of Dakota Territory, 1880-1884

the Indians, especially a large portion of the great Sioux Reservation; watching the opportune moment, which came after the last presidential election, to secure division and immediate admission of North and South Dakota, without allowing it longer to continue a political question.

"That it was largely due to Governor Ordway's long and intimate acquaintance with the older and controlling members of both Houses of Congress, and his accurate knowledge of the rules and the modes for overcoming the friction which was known to exist in regard to the manner of bringing in new states, no one in Dakota who was in Washington during that session of Congress will attempt to deny. Many members of both Houses of Congress, looking back over the difficult and rugged road which the omnibus bill passed, have since expressed wonder that a bill of such far-reaching consequences to both political parties, as well as to the people of the territories, moving the political power westward to such an extent that New York will never hereafter be an essential pivot upon which presidential elections hang, could have been passed in so short a period. It will hardly be denied that ex-Governor Ordway has accomplished great results by giving his time in Washington during the sessions of Congress, to promote legislation for opening the reservation, and above all, by his work in bringing in the two Dakotas at the same time, and in placing North Dakota, in which he has made his home since the change of the seat of government to Bismarck, fully equal in every respect to its western sisters as a great and prosperous state."

Governor Ordway was of the opinion that the admission of Dakota undivided would give a stronger state than if admitted as two states. In consenting to the capital commission bill it is clear that he hoped for the success of Pierre.

The resolutions of the Fargo Convention of 1882 were strongly in favor of division. The delegates appointed were Judge Alphonso H. Barnes, delegate at large, with Col. Peter Donan alternate. A. A. Carpenter, Clement A. Lounsberry, Wilbur F. Steele, George H. Walsh, H. G. Stone, J. S. Eschelman, M. J. Edgerly, Anton Klaus, Folsom Dow, H. B. Crandall, William Thompson, W. F. Clayton, Judson LaMoure, L. D. Austin and E. A. Healey.

The memorial presented to the congressional committee at the hearing was drawn by this writer, who spent five winters in Washington favoring the division of Dakota before later advocates, who gained prominence and preference by reason of such action, came to the territory.

HON. ALEXANDER MCKENZIE

No history of the State of North Dakota would be complete, or entitled to credit, without reference to Alexander McKenzie. He has been a part of that history to a greater extent than any other living man. He has been identified with the history of the state almost from the very beginning of its territorial life. He kept in touch with it, laboring for its development during all of its years of development as a territory, and since its admission to statehood, prospering not as a money loaner, banker or merchant, but as the result of investment in North Dakota real estate and in North Dakota securities. He has held no office excepting that of deputy United States marshal and sheriff and a director on the Bismarck penitentiary board, during the construction of that institution, nor has he sought office, either in the state or nation. He was appointed by the governor, however, to take charge of an exhibit made by the territory at the New Orleans Exposition, where much was accomplished for the good of Dakota, and where he formed acquaintances which had much to do with establishing the credit of the state and incidentally in securing a market for state or county securities in which he became a heavy dealer. He was Republican National Committeeman for North Dakota during the Roosevelt administration, succeeded by James Kennedy of Fargo in 1912.

Alexander McKenzie came to North Dakota in 1868 with Don Stevenson's train carrying supplies to Fort Rice. There he was employed by the military authorities to carry important dispatches to Fort Buford, passing through a country infested with hostile Indians.

He returned in 1872, then a young man of twenty-two, in connection with the construction of the Northern Pacific Railroad, and during that summer he had charge of the track laying on the line west from Fargo. After the completion of the railroad to Bismarck, in June, 1873, he was interested in the manufacture and sale of carbonated drinks, and after the organization of the county in 1873, and the election of the first county officers in 1874, he was appointed sheriff to fill a vacancy caused by the death of Sheriff Miller, who was drowned, together with his deputy Charles McCarthy, by going through an air hole in the ice on the Missouri River. He was elected sheriff at the ensuing election, in 1876, and thereafter for ten years, when he declined to be a candidate for re-election. During all of this time he was deputy United States marshal, and while in office was instrumental in ridding the country of more than one hundred criminals of greater or less degree who had sought asylum or business in the opportunities offered by the opening of the Northern Pacific country.

McKenzie had been with the Northern Pacific from the beginning of its construction and he knew the methods and the faces of every crook on the line, and was able to spot any new arrival almost instantly, and was peculiarly fitted to the work on which he was engaged. He was in St. Paul one day when a most atrocious murder was perpetrated. He took up the work of investigation on his own account and from force of habit, and through information he was able to give, the authorities landed their man inside of forty-eight hours.

In his pursuit of criminals, some of whom took refuge in the Indian camps, McKenzie took desperate chances, but he never flinched. He gained the admiration of Gaul and other noted Sioux Indian chiefs by arrests made in their own camps in the face of demonstrations by the Indians which seemed to threaten certain death.

It was through him that Gaul, Rain-in-the-Face and other noted Indians became a part of the exhibit at New Orleans, and that Sitting Bull was at the head of the procession at the time of the laying of the corner stone of the capitol at Bismarck.

He was successful in the pursuit of steamboats attempting to leave the country without paying for wood or supplies procured from settlers or merchants. Without resorting to the third degree, as the badgering of prisoners is now styled, there was that about him which led the large majority to plead guilty. He had the evidence where there was real guilt, and there were few mistrials.

Born of sturdy Scotch ancestry he spoke the mother tongue of his countrymen, winning confidence that might not have been reached by other means. No friend of his had to appeal for help that he could give, in the hour of real distress, and many a person received timely aid without ever knowing the source from which it came, for McKenzie always has taken pride in not letting one hand know what the other has done. From the talk others have given he has gained many a valuable pointer, sometimes for their own undoing. He leaves the boasting to others. His fame was not confined to Burleigh county, but in every village, and on the lonely ranches, and among the sturdy farmers he had friends, or old time chums, ready to dare or do as he requested.

About 1880 he had charge of an exhibit made by Burleigh County at an exposition at Minneapolis, and Burleigh County won the banner which was then and has been all of the years since then a source of great pride. It was for the best grain and vegetables on exhibition. It served to attract wide attention to North Dakota and was the beginning of the great boom which followed. This was followed by the exhibit made by him on behalf of Dakota at the New Orleans Exposition, the influence of which was enduring. He asked the several counties of the territory to contribute, to be refunded by the Legislature. While some twenty thousand dollars was raised in this way and was refunded by the Legislature, Mr. McKenzie advanced the money in the first instance and added to it some twenty thousand dollars of his own money which was not refunded. But he won much credit for himself and glory and honor for the territory.

In 1882 he attended the session of the Legislature at Yankton and it was through his persistent labor that North Dakota gained its set of territorial institutions, the penitentiary being located at Bismarck, the Agricultural College at Fargo and the University at Grand Forks. This was the foundation for the action which followed in locating these and other institutions, in the constitution of the state, which was accomplished on the suggestion and through the planning and work of Alexander McKenzie, including the location of the capital at Bismarck.

While he did not go to Yankton for the purpose of securing the location of the capital of the territory of Dakota at Bismarck, he saw the opportunity and accomplished his purpose.

To discredit Governor Ordway, Yankton parties caused his arrest and fixed his bond at $50,000. McKenzie furnished that amount of currency for his bail, which was reduced to a reasonable sum and nothing ever came of the prosecution.

After the location of the capital at Bismarck he did not take advantage of the boom to sell real estate, by reason of such location, but held on and is today reaping the advantage that he foresaw.

To him, even more than to Governor Ordway, was due the successful efforts in Congress to secure the division of Dakota and the admission of North Dakota as a state.

He was not the tool of any man or set of men. He had the magnetic power to draw allies to his assistance and the power of organization to hold them together and make them willing helpers. He does not appear in any biographies of pioneers, legislators or other characters, but his name should lead all others in writing of those responsible for the material development of North Dakota.

DAKOTA IN CONGRESS

BIOGRAPHICAL SKETCHES OF DELEGATES, 1861-1890

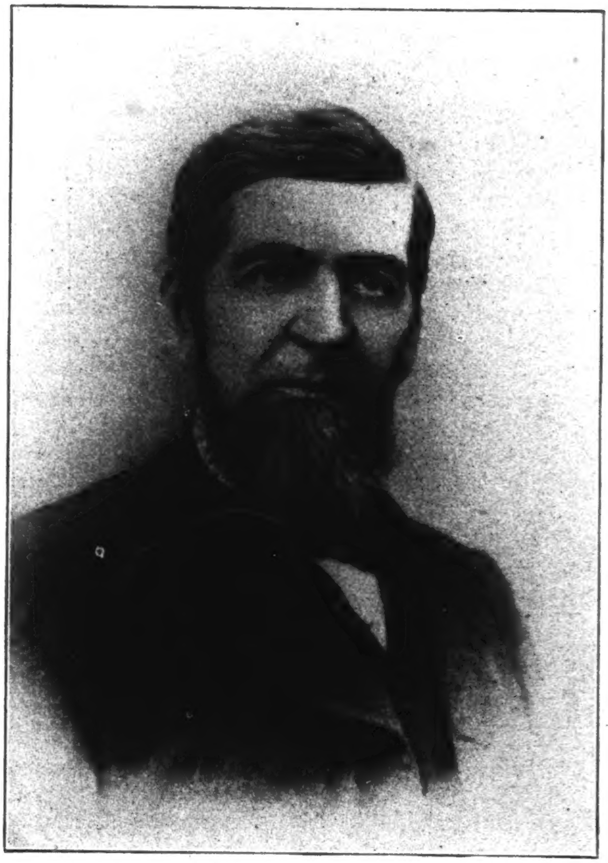
John B. S. Todd, a delegate from Dakota Territory; born in Lexington, Ky., April 4, 1814; moved with his parents to Illinois in 1827; was graduated from the United States Military Academy in 1837; commissioned second lieutenant in the Sixth Infantry, July 1, 1837; first lieutenant, December 10, 1837, and captain, November 8, 1843; served in the Florida war, 1837-1842, and the war with Mexico; resigned, September 16, 1856, and became an Indian trader; settled in Fort Randall, Dakota Territory; elected to the Thirty-seventh Congress (March 4, 1861-March 3, 1863); successfully contested the election of William Jayne to the Thirty-eighth Congress and served from June 17, 1864, to March 3, 1865; appointed brigadier general of volunteers in the Union army, September 19, 1861; appointment expired July 17, 1862; served as speaker of the Dakota House of Representatives, 1867; governor of Dakota Territory, 1869-1871; died in Yankton, Dakota Territory, January 5, 1872.

William Jayne, a delegate from Dakota Territory; born in Springfield, Ill., October 8, 1826; completed preparatory studies; studied medicine and practiced in Springfield eleven years; mayor of Springfield, 1859-1861; apppointed governor of Dakota Territory by President Lincoln in 1861, and served two years, with residence in Yankton; presented credentials as the delegate-elect to the Thirty-eighth Congress, and served from March 4, 1863, to June 17, 1864, when he was succeeded by John B. S. Todd, who contested his election; returned to Springfield, Ill.; president of the Lincoln Memorial Library; president of the State Board of Charities under Governors Yates and Deneen.

Walter A. Burleigh, a delegate from Dakota Territory; born in Waterville, Maine, October 25, 1820; attended public schools; studied medicine in Burlington, Vt., and in New York City, and began practice in Richmond, Maine; moved to Kittanning, Pa., in 1852; declined a foreign mission tendered by President Lincoln in 1861; Indian agent, Greenwood, Dakota Territory, 1861-1865; elected a delegate to the Thirty-ninth and Fortieth Congresses (March 4, 1865-March 3, 1869); elected to the upper house of the Territorial Legislature in 1877, and served two terms; removed to Miles City, Montana Territory; member of the state convention that framed the constitution of Montana; served in the first State Legislature; prosecuting attorney of Custer County; state senator from Yankton County in 1893; died in Yankton, S. D., March 8, 1896.

Solomon L. Spink, a delegate from Dakota; born in Whitehall, N. Y., March 20, 1831; completed preparatory studies; taught school several years; studied law, was admitted to the bar, and began practice in Burlington, Iowa, in 1856; moved to Paris, Ill., in 1860, and began the publication of the Prairie Beacon; served in the State Legislature; secretary of the Territory of Dakota, 1865-1869; elected as a republican delegate to the Forty-first Congress (March 4, 1869-March 3, 1871); resumed the practice of law in Yankton, S. D., until his death there, September 22, 1881.

Moses K. Armstrong, a delegate from the Territory of Dakota; born in Milan, Ohio, September 19, 1832; attended the Huron Institute and Western Reserve College, Ohio; moved to the Territory of Minnesota in 1856; elected surveyor of Mower County, and assigned to survey of the United States lands



DR. WALTER A. BURLEIGH

United States agent to Yankton Indians, 1861-1865. Delegate to Congress from 1865 to 1869 in 1858; went to Yankton, then a small Indian village, when the territory was admitted as a state; was a member of the First Territorial Legislature; re-elected in 1862 and 1863, and served as speaker; edited the Dakota Union in 1864; appointed clerk of the Supreme Court in 1865; elected to the territorial council in 1866, and in 1867 chosen speaker; acted as secretary of the Indian Peace Commission in 1867; established the great meridian and standard lines for United States surveys in Southern Dakota and Northern Red River Valley; again elected to the territorial council in 1869; elected as a democrat a delegate to the Forty-second and Forty-third congresses (March 4, 1871-March 3, 1875); moved to St. James, Minn., and engaged in banking and real estate business; died in Albert Lea, Minn., January 11, 1906.

Jefferson P. Kidder, a delegate from Dakota Territory; born in Braintree, Vt., June 4, 1818; attended the common schools; farmed and taught school; pursued classical studies and was graduated from Norwich University; studied law and was admitted to the bar; member of the State Constitutional Convention of 1843; state attorney, 1842-1847; member of the State Senate, 1847-1848; lieutenant governor, 1853-1854; moved to St. Paul, Minn., in 1857; member of the State House of Representatives of Minnesota in 1861, 1863 and 1864; appointed by President Lincoln associate justice of the Supreme Court for Dakota Territory, February 16, 1865; reappointed by President Grant, April 3, 1869, and reappointed March 3, 1873; elected as a republican, a delegate from Dakota Territory to the Forty-fourth and Forty-fifth congresses (March 4, 1875-March 3, 1879); died in St. Paul, Minn., October 2, 1883.

Granville G. Bennett, a delegate from the Territory of Dakota; born in Butler County, Ohio, October 9, 1833; spent his youth in Fayette County, Ohio; his parents moved to Fulton County, Ill., in 1849, and to Washington, Iowa, in 1855, attended Howe's Academy, Mount Pleasant, and Washington College, Iowa; studied law and in 1859 began practice in Washington; served in the Union army as a commissioned officer from July, 1861, to August, 1865; elected a member of the State House of Representatives in 1865 for two years, and to the State Senate in 1867 for four years; appointed associate justice of the Supreme Court of the Territory of Dakota, February 24, 1875; elected a delegate as a republican to the Forty-sixth Congress (March 4, 1879-March 3, 1881); after leaving Congress, resumed the practice of law in Yankton, S. D.

Richard F. Pettigrew, a delegate and a senator from South Dakota; born in Ludlow, Vt., July, 1848; moved with his parents to Evansville, Rock County, Wis., in 1854; attended the academy; entered Beloit College in 1866; member of the law class in the University of Wisconsin in 1869; went to Dakota in July, 1869, in the employ of a United States deputy surveyor; located in Sioux Falls; engaged in Government surveying and the real estate business until 1875; engaged in the practice of law; elected to the Dakota Legislature as a member of the council in 1877 and re-elected in 1879; elected as a republican to the Forty-seventh Congress (March 4, 1881-March 3, 1883); elected to the territorial council in 1884 and 1885; elected to the United States Senate, October 16, 1889, under the provisions of the act of Congress admitting South Dakota into the Union, and served from December 2, 1889; re-elected in 1895, and served until March 3, 1901; moved to New York City and practiced law; removed to Sioux Falls, S. D., John B. Raymond, a delegate from Dakota Territory; born in Lockport, Niagara County, N. Y., December 5, 1844; moved to Tazewell County, Ill., in 1853; enlisted as a private in the Thirty-first Illinois Infantry in 1861; promoted to captain of Company E of that regiment after the siege of Vicksburg in 1863; served through the war and remained in Mississippi; published the Mississippi Pilot at Jackson, Miss., during the reconstruction of that state and until 1877; appointed United States marshal of Dakota Territory; declined a reappointment; elected as a republican delegate to the Forty-eighth Congress (March 4, 1883-March 3, 1885); died in Fargo, N. D., January 3, 1886.

Oscar S. Gifford, a delegate and a representative from South Dakota; born in Watertown, N. Y., October 20, 1842; attended the common schools and pursued an academic course; served in the Union army as private in the Elgin (Ill.) Battery, 1863-1865; studied law, was admitted to the bar in 1870, and practiced; elected district attorney for Lincoln County in 1874; mayor of Canton, S. D., 1882-1883; member of the Constitutional Convention of Dakota which convened at Sioux Falls, September 7, 1883; elected as a republican, a delegate to the Forty-ninth and Fiftieth congresses (March 4, 1885-March 3, 1889); elected a representative upon the admission of the state into the Union and served from December 2, 1889, to March 3, 1891; resumed the practice of law in Canton, S. D.

LIST OF POSTOFFICES IN OPERATION IN NORTH DAKOTA WHEN STATE WAS FORMED, NOVEMBER 2, 1889

Barnes County—Alderman, Ashtabula, Barnes, Dailey, Dazey, Eckelson, Ellsbury, Hackett, Minnie Lake, Odell, Oriska, Sanborn, Uxbridge, Valley City, Svea, Svenby, Binghamton.

Benson County—Abbottsford, Minnewaukan, Fort Totten, Obern, York, Pleasant Lake, Leeds, Knox, Viking.

Billings County—Medora, Sentinel Butte.

Boreman Coutny—Fort Yates.

Bottineau County—Bottineau, Lordsburg, Tarsus, Sausahville.

Buford County—Williston.

Burleigh County—Bismarck, Cromwell, Menoken, Painted Woods, Sterling, Stewartsdale, Wogansport, Conger, Edberg, Slaughter, Wales, Crofte, Glascock, McKenzie.

Cass County—Amenia, Argusville, Arthur, Aye, Buffalo, Casselton, Davenport, Durbin, Eldred, Erie, Everest, Fargo, Gardner, Grandin, Harwood, Hickson, Horace, Hunter, Kindred, Leonard, Mapleton, Noble, Norman, Page, Ripon, Tower City, Trysil, Watson, Wheatland, Wild Rice, Gill, Embden, Woods, Addison.

Cavalier County—Hannah, Maida, Beaulieu, Alma, Easby, Elkwood, Gertrude, Milton, Mona, Olga, Osnabooch, Ridgefield, Romfo, Langdon, Mount Carmel, Woodridge, Vang, Soper, Byron, Ellerton, Stilwell.

Grand Forks County—Arvilla, Belleville, Gilby, Grand Forks, Inkster, Johnston, Larimore, Manvel, McCanna, Niagara, Northwood, Ojata, Reynolds, Thompson, Turtle River, Walle, Ori, Emerado, Holmes, Merrifield, Kempton, Mekinock, Bean, Cable, Kellys.

OSCAR SHERMAN GIFFORD
Pioneer of Lincoln County. Delegate to
Congress from 1885 to 1889

Emmons County—Buchanan, Emmonsburg, Gayton, Glencoe, Livona, Roop, Williamsport, Winchester, Winona, Omio, Armstrong, Exeter, Danbury, Westfield, Hampton, Hull.

Foster County—Barlow, Carrington, Larrabee, Melville, Glenfield.

Dickey County—Ellendale, Lorraine, Ludden, Merricourt, Wright, Yorktown, Monango, Oakes, Glover, Guelph, Hillsdale, Silverleaf, Clement, Westboro, Fullerton, Boynton.

Eddy County—New Rockford, Tiffany, Morris, Sheyenne.

Griggs County—Cooperstown, Gallatin, Jessie, Helena, Ottawa, Romness, Hannaford.

Garfield County—Fort Berthold.

Kidder County—Dawson, McGuire, Steele, Tappen, Langedahl.

Lamoure County—Dickey, Grand Rapids, La Moure, Russell, Litchville, Medbery, Griswold, Verona, Edgeley, Adrian, Newburg.

Logan County—Napoleon, Steidl, King.

McHenry County—Pendroy, Villard, Mouse River, Towner, Wines, Ely, Granville.

McIntosh County—Coldwater, Youngstown, Jewell, Ashley.

McLean County—Coal Harbor, Conkling, Ingersoll, Washburn, Weller, Falconer, Turtle Lake, Hancock.

Mercer County—Causey, Slaton, Stanton, Hazen, Deapolis, Krem.

Morton County—Fort Abraham Lincoln, Glen Ullin, Mandan, New Salem, Sims, Hebron, Sweet Briar, Kurtz, Cannon Ball.

Nelson County—Adler, Aneta, Baconville, Bue, Crosier, Harrisburgh, Lakota, Lee, Mapes, Michigan, Ottofy, Petersburg, McVille, Ruby, Sogn.

Olive County—Hensler, Sanger, Harmon, Klein.

Pembina County—Bathgate, Bay Center, Carlisle, Cavalier, Crystal, Drayton, Ernest, Gardar, Hallson, Hamilton, Hyde Park, Joliette, McConnell, Mountain, Neche, Pembina, Pittsburgh, Saint Thomas, Tyner, Walhalla, Nowesta, Stlkesville, Mugford, Welford, Glasston, Eyford, Prattford, Shepard, Thexton, Leroy, Backoo, Hensel, Bowesmont.

Ramsey County—Bartlett, Crary, De Groat, Devils Lake, Grand Harbor, Jerusalem, Locke, Jackson, Church, Kildahl, Starkweather, Churchs Ferry, Schapera, Rutten, Fox Lake, Penn.

Ransom County—Bonnersville, Buttzville, Elliott, Englevale, Fort Ransom, Lisbon, Owego, Plymouth, Scoville, Sheldon, Shenford.

Richland County—Barnes, Christine, Colfax, Dwight, Fairmount, Fort Abercrombie, Kougsberg, Mooreton, Wahpeton, Walcott, Wyndmere, Kloeppel, Power, Farmington, Hankinson, Lidgerwood, Seymour, Great Bend, De Villo.

Rolette County—Dunseith, Island Lake, Saint Johns, Laureat, Belcourt, Bollinger, Twala, Rolla.

Sargent County—Brampton, Forman, Hamlin, Milnor, Ransom, Sargent, Tewaukon, Verner, Nicholson, De Lamere, Rutland, Harlem, Havana, Straubville, Cayuga, Genesee, Mohler.

Stark County—Dickinson, Gladstone, Richardton, Taylor, Antelope, Belfield, South Heart.

Steele County—Bellevyria, Colgate, Hope, Pickert, Golden Lake, Sherbrooke, Mardell, Sharon.

Stevens County—Fort Stevens.

Stutsman County—Atwill, Corinne, Eldridge, Esler, Gray, Jamestown, Pingree, Spiritwood, Windsor, Ypsilanti, Albion, Edmunds, Montpelier, Horn, Sharlow, Rio, Arrowwood, Medina, Karlopolis.

Towner County—Cando, Coolin, Snyder, Cecil, Sidney, Pieton, Gleason, Hanson, Perth.

Traill County—Bellmont, Blanchard, Buxton, Caledonia, Clifford, Cumings, Galesburg, Hague, Hatton, Hillsboro, Kelso, Mayville, Portland, Quincy, Weible.

Ward County—Burlington, Saint Carl, Minot, Des Lacs, Logan, Lone Tree, Echo, McKinney.

Walsh County—Acton, Ardoch, Auburn, Conway, Edinburgh, Forest River, Galt, Grafton, Latona, Medford, Minto, Park River, Praha, Richmond, Saint Andrew, Silvista, Vesta, Walshville, Lambert, Kinloss, Tomey, Pisek, Cashel, Voss.

Wells County—Sykeston, Oshkosh.

Pierce County—Denney, Hurricane Lake.

Hettinger County—New England City.

Renville County—Joslyn, McKinney.

Dunn County—Oakdale.

FIRST HOUSE BUILT IN BURLINGTON IN APRIL, 1883. JAMES JOHNSON IN FOREGROUND

FIRST POSTOFFICE IN NORTHWESTERN NORTH DAKOTA
Established at Burlington. James Johnson, first Postmaster

CHAPTER XXV

THE NORTH DAKOTA CONSTITUTIONAL CONVENTION—ENABLING ACT

The admission of a state to the Union has in some instances been decided by Congress upon political considerations. The right to admission when a territory has sufficient population and material resources to support a state government did not weigh with Congress as much as the political advantage to the party then in control of the National Government.

To illustrate: When Virginia passed an ordinance of secession, the people living in the mountains in the western portion repudiated secession and loyally adhered to the Union. Congress rewarded them by creating the State of West Virginia and admitted it to the sisterhood of states. The vote of an additional state was required to ratify the thirteenth amendment abolishing slavery throughout the Union, and Congress carved out Nevada from California and admitted it as a state, and it cast the needed vote. The thirteenth amendment was ratified and slavery was forever abolished in the United States.

In recent years an enabling act has, however, been deemed an essential prerequisite to admission. It is the general rule, and Congress has jealously guarded it. It has held that no inherent right existed in the people of a territory to form a constitution and apply for admission to the Union without its consent, consequently it refused to recognize the constitution adopted by the people of South Dakota, prior to the enactment of the omnibus bill, approved February 22, 1889.

States can change their constitutions independently of Congress, but such constitution must conform to the requisite compact, and establish a government, republican in form and consistent with the national constitution.

The omnibus bill, which was the enabling act for the Dakotas, Montana and Washington, prescribed that the area in the Territory of Dakota should be "Divided on the line of the seventh standard parallel projected due west to the western boundary of said territory."

The area lying north of this line to the boundary of Manitoba, Canada, to constitute the State or Territory of North Dakota, as might be determined by the inhabitants of this area, who were qualified voters of the Territory of Dakota. It further prescribed that this area should be apportioned into twenty-five districts, three delegates to a constitutional convention to be elected from each district by the qualified voters of the district, but "no elector shall vote for more than two persons for delegates to such convention." The governor, chief justice and secretary of the territory were to designate the districts in proportion to the population, as near as practicable "from the best information obtainable."

The territorial Legislature of 1885 by law authorized the taking of the decennial census under the provision of the Federal census law, which provided that any state or territory could take a census of its inhabitants at the expense of the Federal Government at the end of five years from the last preceding census, the census when completed to be transmitted to the National Census Bureau, to be compiled and published by counties.

The territorial Legislature divided the territory into two districts; one district comprised the area of North Dakota, the other the area of South Dakota. This census was the basis of the districts from which delegates were chosen.

Upon the formation of such districts, the governor of the territory was authorized to proclaim an election to be held on Tuesday after the second Monday in May to choose the delegates to a constitutional convention, to be held at Bismarck, then the capital of the territory, on July 4, 1889, to "Form a constitution and State Government for a State to be known as North Dakota."

It was a condition precedent before the formation of the constitution "that the convention should declare on behalf of the people of the proposed state that they adopted the Constitution of the United States." The constitution framed was to be "Republican in form, making no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and be not repugnant to the Constitution of the United States and the principles of the Declaration of Independence."

The convention was required to provide in the constitution by "ordinance irrevocable without the consent of the United States and the people of the prospective state," to secure perfect toleration of religious sentiment, and that no inhabitant of the future state should be molested in person, nor deprived of his property on account of his mode of religious worship; to disclaim any right or title in any of the unappropriated public lands, or to any lands within the confines of any Indian or military reservation. These lands to remain within the exclusive jurisdiction and control of the United States; that lands of non-residents should not be taxed at a higher rate than lands belonging to residents; that no taxes be imposed upon lands or property belonging to the United States, or that might thereafter be purchased, or reserved for its use; that the debts and liabilities of the territory shall be assumed and paid by the states; that provision be made for the establishment and maintenance of a system of public schools open to all the children of the state, and free from sectarian control."

In accordance with the provisions of the enabling act the following persons who had been elected delegates at the election held in May, 1889, pursuant to the call of the governor on the 15th day of April, 1889, assembled at Bismarck on the 4th day of July, 1889, at noon.

MEMBERS AND OFFICERS OF THE NORTH DAKOTA CONSTITUTIONAL CONVENTION, 1889

R—republican; D—democrat.

Allin, Roger, R., Walsh County; postoffice, Grafton; occupation, farmer; born Dec. 18, 1848.

Almen, John Magnus, R.; Walsh County; postoffice, Grafton; occupation, farmer; born April 13, 1850.

Appleton, Albert Francis, D.; Pembina County; postoffice, Crystal; occupation, farmer; born Jan. 14, 1850.

Bean, Therow W., R.; Nelson County; postoffice, Michigan City; occupation, lawyer; born Oct. 17, 1859.

Bell, James, D.; Walsh County; postoffice, Minto; occupation, farmer; born Aug. 24, 1850.

Bennett, Richard, R.; Grand Forks County; postoffice, Grand Forks; occupation, lawyer; born Dec. 4, 1851.

Bartlett Lorenzo D., D.; Dickey County; postoffice, Ellendale; occupation, farmer; born Oct. 19, 1829.

Bartlett, David, R.; Griggs County; postoffice, Cooperstown; occupation, lawyer; born Oct. 23, 1855.

Best, William D., D.; Pembina County; postoffice, Bay Centre; occupation, farmer; born Aug. 23, 1853.

Brown, Charles V., R.; Wells County; postoffice, Sykeston; occupation, publisher; born Nov. 28, 1859.

Blewett, Andrew, D.; Stutsman County; postoffice, Jamestown; occupation, merchant; born Sept. 13, 1857.

Budge, William, R.; Grand Forks County; postoffice, Grand Forks; occupation, merchant; born Oct. 11, 1852.

Camp, Edgar Whittlesey, R.; Stutsman County; postoffice, Jamestown; occupation, lawyer; born Feb. 27, 1860.

Chaffee, Eben Whitney, R.; Cass County; postoffice, Amenia; occupation, farmer; born Jan. 19, 1824.

Carland, John Emmet, D.; Burleigh County; postoffice, Bismarck; occupation, lawyer; born Dec. 11, 1854.

Carothers, Charles, R.; Grand Forks County; postoffice, Emerado; occupation, farmer; born Aug. 22, 1863.

Clark, Horace M., R.; Eddy County; postoffice, New Rockford; occupation, farmer; born Sept. 6, 1850.

Clapp, William J., R.; Cass County; postoffice, Tower City; occupation, lawyer; born Nov. 28, 1857.

Colton, Joseph L., R.; Ward County; postoffice, Burlington; occupation, merchant; born March 24, 1840.

Douglas, James A., D.; Walsh County; postoffice, Park River; occupation, farmer; born Feb. 13, 1847.

Elliott, Elmer E., R.; Barnes County; postoffice, Sanborn; occupation, merchant; born Dec. 25, 1861.

Fancher, Frederick B., R.; Stutsman County; postoffice, Jamestown; occupation, farmer; born April 2, 1852.

Fay, George H., R.; McIntosh County; postoffice, Ashley; occupation, lawyer; born Feb. 24, 1842.

Flemington, Alexander D., R.; Dickey County; postoffice, Ellendale; occupation, lawyer; born April 7, 1856.

Gayton, James Bennett, R.; Emmons County; postoffice, Hampton; occupation, farmer; born Nov. 10, 1833.

Glick, Benjamin Rush, D.; Cavalier County; postoffice, Langdon; occupation, merchant; born March 29, 1856.

Gray, Enos, D.; Cass County; postoffice, Embden; occupation, farmer; born Feb. 4, 1829.

Griggs, Alexander, D.; Grand Forks County; postoffice, Grand Forks; occupation, banker; born Oct. 27, 1838.

Haugen, Arne P., R.; Grand Forks County; postoffice, Reynolds; occupation, farmer; born June 7, 1845.

Hegge, Marthinus F., D.; Traill County; postoffice, Hatton; occupation, merchant; born Nov. 27, 1856.

Holmes, Herbert L., R.; Pembina County; postoffice, Neche; occupation, banker; born May 29, 1853.

Harris, Harvey, R.; Burleigh County; postoffice, Bismarck; occupation, real estate; born Dec. 12, 1852.

Hoyt, Albert W., R.; Morton County; postoffice, Mandan; occupation, real estate; born July 5, 1846.

Johnson, Martin N., R.; Nelson County; postoffice, Lakota; occupation, lawyer; born March 3, 1850.

Lauder, William S., R.; Richland County; postoffice, Wahpeton; occupation, lawyer; born Feb. 9, 1856.

Leech, Addison, R.; Cass County; postoffice, Davenport; occupation, farmer; born Feb. 20, 1824.

Lowell, Jacob, D.; Cass County; postoffice, Fargo; occupation, lawyer; born May 7, 1843.

Linwell, Martin V., R.; Grand Forks County; postoffice, Northwood; occupation, lawyer; born April 2, 1857.

Lohnes, Edward H., R.; Ramsey County; postoffice, Devils Lake; occupation, farmer; born April 22, 1844.

Marrinan, Michael Kenyon, D.; Walsh County; postoffice, Grafton; occupation, lawyer; born Nov. 4, 1853.

Mathews, James H., R.; Grand Forks County; postoffice, Larimore; occupation, farmer; born Oct. 10, 1846.

Meacham, Olney G., R.; Foster County; postoffice, Carrington; occupation, banker; born April 12, 1847.

McBride, John, D.; Cavalier County; postoffice, Alma; occupation, farmer; born May 22, 1850.

Miller, Henry Foster, R.; Cass County; postoffice, Fargo; occupation, lawyer; born Sept. 13, 1846.

Moer, Samuel H., R.; Lamoure County; postoffice, LaMoure; occupation, lawyer; born June 21, 1856.

McKenzie, James D., R.; Sargent County; postoffice, Milnor; occupation, doctor; born March 28, 1840.

McHugh, Patrick, R.; Cavalier County; postoffice, Langdon; occupation, banker; born Sept. 23, 1846.

Noble, Virgil B., D.; Bottineau County; postoffice, Bottineau; occupation, lawyer; born Dec. 7, 1859.

Nomland, Knud J., R.; Traill County; postoffice, Caledonia; occupation, farmer; born Oct. 16, 1852.

O'Brien, James F., D.; Ramsey County; postoffice, Devils Lake; occupation, lawyer: born July 6, 1853.

Parsons, Curtis P., R.; Rolette County; postoffice, Rolla; occupation, publisher; born May 6, 1853.

Parsons, Albert Samuel, R.; Morton County; postoffice, Mandan; occupation, railroading; born Aug. 16, 1856.

Paulson, Engebret M., R.; Traill County; postoffice, Mayville; occupation, farmer; born May 15, 1855.

Peterson, Henry M., R.; Cass County; postoffice, Horace; occupation, farmer; born July 11, 1857.

Pollock, Robert M., R.; Cass County; postoffice, Casselton; occupation, lawyer; born Dec. 16, 1854.

Powers, John, D.; Sargent County; postoffice, Havana; occupation, farmer; born Nov. 4, 1852.

Powles, Joseph, R.; Cavalier County; postoffice, Milton; occupation, farmer; born Dec. 6, 1850.

Purcell, William E., D.; Richland County; postoffice, Wahpeton; occupation, lawyer; born Aug. 3, 1858.

Ray, William, D.; Stark County; postoffice, Dickinson; occupation, real estate; born Sept. —, 1852.

Richardson, Robert B., R.; Pembina County; postoffice, Drayton; occupation, farmer; born April 20, 1840.

Robertson, Alexander D., R.; Walsh County; postoffice, Minto; occupation, merchant; born July 27, 1833.

Rolfe, Eugene Strong, R.; Benson County; postoffice, Minnewaukan; occupation, lawyer; born Dec. 15, 1854.

Rowe, William H., R.; Dickey County; postoffice, Monango; occupation, merchant; born Oct. 26, 1853.

Sandager, Andrew, R.; Ransom County; postoffice, Lisbon; occupation, merchant; born Oct. 31, 1862.

Shuman, John, R.; Sargent County; postoffice, Rutland; occupation, farmer; born July 13, 1836.

Scott, John W., R.; Barnes County; postoffice, Valley City; occupation, lawyer; born March 13, 1858.

Selby, John F., R.; Traill County; postoffice, Hillsboro; occupation, lawyer; born Dec. 24, 1849.

Slotten, Andrew, R.; Richland County; postoffice, Wahpeton; occupation, farmer; born Sept. 16, 1840.

Spalding, Burleigh Folsom, R.; Cass County; postoffice, Fargo; occupation, lawyer; born Dec. 3, 1853.

Stevens, Reuben N., R.; Ransom County; postoffice, Lisbon; occupation, lawyer; born Aug. 10, 1853.

Turner, Ezra, R.; Bottineau County; postoffice, Bottineau; occupation, farmer; born Dec. 17, 1835.

Wallace, Elmer D., R.; Steele County; postoffice, Hope; occupation, farmer; born July 5, 1844.

Whipple, Abram Olin, R.; Ramsey County; postoffice, Devils Lake; occupation, banker; born April 1, 1845.

Wellwood, Jay, R.; Barnes County; postoffice, Minnie Lake; occupation, farmer; born Nov. 11, 1858.

Williams, Erastus A., R.; Burleigh County; postoffice, Bismarck; occupation, lawyer; born Oct. 13, 1851.

OFFICERS

Frederick B. Fancher, president; Stutsman County; postoffice, Jamestown.

John G. Hamilton, chief clerk; Grand Forks County; postoffice, Grand Forks.

C. C. Bowsfield, enrolling and engrossing clerk; Dickey County; postoffice, Ellendale.

Fred Falley, sergeant-at-arms; Richland County; postoffice, Wahpeton.

J. S. Weiser, watchman; Barnes County; postoffice, Valley City.

E. W. Knight, messenger; Cass County; postoffice, Fargo.

Geo. Kline, chaplain; Burleigh County; postoffice, Bismarck.

R. M. Tuttle, official stenographer; Morton County; postoffice, Mandan.

POLITICAL COMPLEXION AND NATIVITY

Republicans, 56; democrats, 19. Born in United States, 52—Wisconsin, 13; New York, 10; Iowa, 5; Ohio, 4; Maine, 3; Pennsylvania, 3; Illinois, 2; Connecticut, 2; Indiana, 2; Minnesota, 2; Vermont, 2; Massachusetts, 1; New Hampshire, 1; New Jersey, 1; Michigan, 1. Born in other countries, 23—Canada, 9; Norway and Sweden, 5; England, 3; Scotland, 3; Ireland, 2; New Brunswick, 1. Ancestry—American, 22; English, 15; Irish, 12; Norwegian, Scandinavian and Swede, 10; Scotch, 6; Irish and Scotch, 3; Scotch-American, 2; Scotch and Danish, 1; English-German, 1; Dutch, 1; German-Irish, 1; Irish and Welsh, 1.

ORGANIZATION

They organized the convention by the election of Frederick B. Fancher, of Jamestown, as president, and John G. Hamilton, of Grand Forks, as chief clerk, and proceeded to frame the constitution of the state in conformity with the conditions and restrictions imposed by the enabling act.

It is an interesting and notable fact that forty-five of the seventy-five delegates were elected from the Red River Valley counties and counties immediately adjacent thereto. Twenty-six between the valley counties and east of the Missouri River, and nineteen from the vast area west of the Missouri River.

The delegates were representative men of the professions and of the agricultural and varied business interests of North Dakota. One-third were lawyers, prominent in their profession, well versed in the fundamental principles of a republican form of government and admirably equipped for the work of framing a constitution adapted to promote the welfare of an agricultural state.

The delegates chosen at the election in May assembled at the hall of the House of Representatives in the capitol of the territory and were called to order by Luther B. Richardson, then secretary of the territory, who acted as chairman until the election of a temporary chairman. The choice of the convention for this honor was Frederick B. Fancher, of Jamestown. John A. Rea, of Bismarck, was selected as temporary secretary, and Robert M. Tuttle, of Mandan, as temporary stenographer.

No roll or roster of the delegates-elect had been prepared by the secretary of the territory and the temporary chairman appointed a committee of three to whom was referred the credentials of delegates present. William H. Rowe, of Dickey County, was chairman of this committee. A committee of ten was appointed on procedure and permanent organization, R. N. Stevens, of Ransom County, being made chairman thereof. The committee on credentials prepared a roll of the delegates elected and reported it to the convention on July 5th. There were no contests and no objections filed from any district. The report was adopted.

Patrick McHugh, a delegate from Cavalier County, suggested that it was necessary that an oath of office should be taken by the delegates. The necessity and propriety of this course was briefly discussed. The delegates were not civil officers of the territory, nor of the United States, and no oath was prescribed in the emergency act. It was usual and customary, however, in state conventions called to prepare a new constitution for the state to "swear in" the members thereof. It was concluded to be a very proper proceeding, and an oath to support the laws of the United States in preparing a constitution for the proposed State of North Dakota was administered to the delegates by the Hon. Roderick Rose, judge of the Sixth Judicial District and an associate justice of the Supreme Court of the Territory of Dakota.

The delegates caucused in the forenoon of July 5th, according to their party affiliations, and agreed upon the permanent officers. Frederick B. Fancher was the choice of the republicans for president, defeating Martin N. Johnson in the caucus. Judge John E. Carland, of Bismarck, was the choice of the democrats. The session of July 5th was presided over by Martin N. Johnson. It partially completed the permanent organization by the election of Mr. Fancher over Mr. Carland by a vote of [illegible] to 16, three republicans and one democrat being absent and not voting. On motion of Mr. Carland, the election of Mr. Fancher was made unanimous.

It was held by the convention that the committee on rules and methods of procedure appointed in the temporary organization was illegal, for the reason that a temporary organization could not confer authority to formulate rules, that such authority must be granted by the permanent organization, and on motion the president appointed a committee of seven on rules and methods of procedure, and Erastus A. Williams, of Bismarck, was named as chairman. Carland, Stevens and Johnson, all versed in legislative and legal procedure, were members.

On July 8th, the convention completed its permanent organization by the election of John G. Hamilton as chief clerk; Fred Falley, sergeant-at-arms; C. C. Bowsfield, enrolling and engrossing clerk; Eben W. Knight, messenger; George Wentz of Burleigh, door-keeper; Joel S. Weiser, watchman; R. M. Tuttle, stenographer; George Kline, chaplain; Arthur Lind, Harry G. Ward, Charles Lauder and Charles W. Conroy, pages. President Fancher administered the oath of office to these officers and they immediately entered upon the discharge of their duties. Upon the perfection of the permanent organization of the convention a resolution was adopted—

"That we, the delegates of the Constitutional Convenion, for and on behalf of the people of the proposed State of North Dakota, hereby declare that we adopt the Constitution of the United States."

By resolution the president was authorized to appoint seven members to act as members of the joint commission to be appointed by the Constitutional Conventions of North and South Dakota, for the purpose of making an equitable division of all property belonging to the Territory of Dakota, and to choose and agree upon the amounts of the debts and liabilities which should be assumed and paid by each of the proposed states of North and South Dakota, and authorized the commission to employ such clerical assistance in the performance of their duties as they deemed necessary, and also granted leave to the commission to sit during the sessions of the Constitutional Convention. This joint commission was required by the Enabling Act.

The Committee on Rules and Methods of Procedure reported on July 8th a code of forty-five rules for the government of the convention. The rules provided for the appointment by the president of twenty-three standing committees on printing, reporting and publishing, accounts and expenses, preamble and declaration of rights, legislative department, executive department, judicial department, elective franchise, education, public institutions and buildings, public debt and public works, militia, county and township organization, apportionment and representation, revenue and taxation, municipal corporations, corporations other than municipal, temperance, revision and adjustment, impeachment and removal from office, and a committee of the whole. The rules provided for open sessions daily, except Sundays, at 2 o'clock, until otherwise ordered by the convention, and no standing committee could sit during the sitting of the convention, without leave of the convention. The report was considered in the committee of the whole. Proposed amendments to add a committee on homesteads and exemptions, amendment and revision of the constitution, and on railroads, were defeated in the committee of the whole.

An amendment was proposed inserting in rule one the words "when prayer shall be offered by the chaplain," and the committee of the whole recommended the adoption of the report when so amended. The convention concurred in this amendment and adopted the report.

The method of procedure prescribed by the rules was that every article proposed to be incorporated into the constitution was to be in writing and introduced by an accredited delegate in open convention. It was known as a file to distinguish it from a bill, the usual name employed in legislative assemblies. Each file to be read three separate times, the second and third times not to be on the same day. The files to be printed and referred by the president, at the second reading, to the appropriate committee. When reported by this committee they were to be considered in the committee of the whole. If recommended for adoption by this committee, they were read the third time in the convention, and if approved by a majority, they were referred to the committee on adjustment and revision, which committee was empowered to classify and arrange the files under an appropriate subdivision, to reconcile conflicting sections, to perfect the phraseology, and eliminate duplications and submit a constitution made up of the files approved by the convention for its final action. By this method every proposition was carefully investigated and the delegates were enabled to vote understandingly.

COMMITTEE OF THE WHOLE

The committee of the whole is a legislative fiction. It differs from a standing committee in that it is composed of the entire body. It has no permanent chairman or clerk, though usually the chief clerk of the body keeps the record of its proceedings and any amendments to the subject matter under consideration are embodied in the report of the chairman and such report is printed in the journal of the convention, and thereby becomes a record of the convention. The chairman of the committee is selected from the membership of the body by the presiding officer, though the body itself may designate the permanent president to act as chairman. This rule obtains in the United States Senate, where the vice president or the president pro tem. presides at all sessions, whether the Senate is sitting as a Senate, or as a committee of the whole. This committee has no power to enact laws. It can suggest amendments germane to the subject matter, or a substitute provision, and recommend their adoption. It is within its province also to recommend the indefinite postponement, or the "laying on the table," of the matter referred to it. The recommendation for indefinite postponement, or to lie on the table, is generally employed when the committee is unfavorable to the laws proposed, as a "viva voce" vote adopts the reports and defeats the measure, while a recommendation that the bill or article do not pass "usually requires a record vote by yeas and nays." "The authorities" on parliamentary law almost unanimously support the rule that reports of committees of the whole cannot be amended and that such reports must be adopted or rejected as an entirety, unless a vote is reserved on a separate amendment, but concede the right to substitute new matter for that contained in the report. In essence and effect a "substitute" is an amendment and was invented to overcome the strictness of the rule in relation to amendments.

The highest source of authority on parliamentary procedure in the United States is the Congress. The question on the adoption of amendments recommended by the committee of the whole is put in the form, "Shall the amendments proposed be agreed to or adopted 'en bloc,' or is any amendment reserved for a separate vote?" In the Senate the form is, "The Senate has, as in the committee as a whole, under consideration a bill (stating its title) and has made certain amendments thereto; shall the amendments be agreed to 'en masse,' or is a separate vote demanded on any amendment?"

There was no division on party lines in the convention except at the election of its president by a straight party vote. The minority were given representation on all committees equal to their proportion of the whole number of delegates, and chairmanships of committees were distributed in the same proportion.

DIVISION OF TERRITORIAL PROPERTY

On July 11th, the president announced the standing committees and named as the select commission to adjust the liabilities and provide for an equitable division of the property of the territory, Edgar W. Camp, of Jamestown, chairman; William E. Purcell, of Wahpeton; Burleigh F. Spalding, of Fargo; Harvey Harris, of Bismarck; Alexander Griggs, of Grand Forks; John W. Scott, of Valley City, and Andrew Sandager, of Lisbon—four lawyers and three business men.

For the information and guidance of this joint commission the convention by resolution requested the auditor for the territory forthwith to prepare and furnish a statement showing:

1. The cost of construction and repairs of all public buildings and institutions of the territory.
2. The indebtedness incurred and outstanding against the same.
3. The part of such indebtedness which was by the law creating them to be assumed and paid by the states of North and South Dakota, respectively.
4. All assets and liabilities of the territory, and to what accounts belonging.
5. A list of all public records, archives and other property of that nature now belonging to the territory.
6. Any other information useful and necessary to aid this committee to effect an equitable division of the property, assets and liabilities of the territory.

The chief clerk was ordered to have the omnibus bill, rules of the convention, the standing and select committees, printed in pamphlet form and placed upon the desks of the members. The convention by resolution empowered the joint commission to temporarily settle and fix what should be the seventh standard parallel, until such time as the true line should be ascertained.

THE WORK OF THE CONVENTION

On July 12th, and four days after perfecting the organization of the convention, Martin N. Johnson introduced the first proposed article of the constitution. It related to "common carriers" and is known on the records as file number one. It was read twice at length and referred to its appropriate committee, viz., "corporations other than municipal." As every delegate had the right to introduce proposed articles, a total of 140 files were offered by 48 delegates during the life of the convention, of which 118 files can be classed as original matter, prepared by the delegates from the constitutions of other states. Twenty-four were substitutes for original files and reported from the standing committees. Two were complete constitutions, and one was for the equitable distribution of the assets and property of the territory and the assumption of an equitable proportion of the debts and liabilities of the same. The subject matter of eleven of these files related to the regulation of the liquor traffic. Seven were for prohibition, two for license, one for regulation of the traffic by city and county local option, and one to purchase established breweries and distilleries and thus reimburse the owners for property rendered useless. Six files proposing a form of preamble, and two proposed schemes for the location of a permanent seat of government, but generally but one file was offered on any given subject and was usually presented by a delegate who was a member of the committee who had jurisdiction of the subject matter stated in the file.

On July 16th, the convention adopted a resolution offered by Mr. Spalding that no proposed articles be received by this convention, except by unanimous consent, after the close of the session of Monday, July 22d, but this limitation should not apply to reports of committees, either of material submitted to, or originating with them.

It also adopted a resolution asking the opinion of the judiciary committee as to the power of the convention to provide for the taxation of the road bed and rolling stock of the Northern Pacific Railroad, which was by its charter exempt from taxation in the territory, and indefinitely postponed a resolution offered by Mr. Lauder that a select committee of five be appointed by the president to whom should be referred all questions relating to the "seat of government."

The work of framing a constitution was done mainly in the committees, who devoted the forenoons and evenings to the consideration of the different articles referred to them. By resolution the various committees were empowered to employ such clerical assistance as they deemed necessary and directed the first legislative assembly to make an appropriation to pay such clerks such an amount as should be certified to by the chief clerk and president of the convention. Secretary Richardson, who was custodian of the appropriation made by Congress to pay the expenses of the Constitutional Convention, holding that no part of such appropriation could be used to pay clerks of committees.

The committee of county and township organization presented the first report of the standing committees on July 16th, and the judiciary committee submitted a report recommending that the article or proposition which required judges of the District Court to take and submit an affidavit that no cause remains in his court undecided that has been submitted for decision for the period of ninety days before being allowed to draw or receive any salary, be left to the Legislature to adopt such regulations as the necessities of the case may require. This report was adopted. It recommended a substitute for the "compact with the United States," outlined in file three, and that the matter of the non-sectarian character of the public schools be left to the committee on education. That the proposition of file eighteen, "No act shall embrace more than one subject, which shall be expressed in its title," should constitute a section under the head of the legislative department of the constitution, and that file eight, providing that the governor, attorney-general and judges of the Supreme Court shall constitute a "Board of Pardons," be referred to the committee on the executive department.

On July 18th, Mr. Camp offered a resolution providing that when the committee of the whole shall have recommended that any proposition, or article, be made a part of the constitution, such proposition or article shall be referred to the committee on revision and adjustment, whose duty it shall be to arrange such proposition in order, and revise the same so that no part of the constitution shall conflict, and to report a constitution embracing all articles and propositions so referred for final adoption as a whole by the constitution. This resolution led to an instructive and protracted debate, participated in by a number of the delegates, in which the powers and duties of the committee were clearly defined, and the convention with a clear understanding of the limited power of the committee adopted the resolution without amendment.

The resolution was reconsidered on the following day and amended so as to provide that the committee report a constitution for "adoption or amendment, section by section, by the convention and then adopted as a whole." The committee was instructed by a vote of sixty-three yeas and eight nays to report "every change made in the matter referred to it."

On July 20th, Mr. Williams introduced a complete constitution, known as file 106, which was read the first time and printed in the Journal.

THE WILLIAMS CONSTITUTION

This document excited much speculation and comment, not so much as to the matter contained therein, but as to its authorship. It was excellently arranged under the heads, The State, The People, The Government, Alteration of the Constitution, and The Schedule, and its provisions were expressed in clear, pertinent and apt language. It was, as one newspaper expressed it, "A marvel of strength, sense and diction." Many of its provisions were incorporated in the constitution framed by the convention. It was suspected of railroad origin, or prepared at the cost and suggestion of the cattle barons of the Missouri slope. Williams disclaimed its authorship, and did not reveal the source from which it came, nor its author beyond the statement that he received it from a Bismarck attorney, and that it had been prepared by an eastern attorney. Various stories of its authorship appeared in the press, among them, one that it was prepared by Senator William M. Evarts of New York, an eminent jurist, with the assistance of some of the best constitutional lawyers of the country. The Bismarck Tribune said it had received enough light on the subject to suspect that this story was not far from right. Senator Evarts himself, however, said that the Constitution of North Dakota, so far as he had looked into it, was a most excellent one and reflected credit on the deliberate sense of North Dakota, but that he had not prepared it, was not consulted about it, and knew nothing about it.

Another story ascribed its authorship to Prof. James Bradley Thayer of the Harvard Law School. A careful investigation has verified this story. Professor Thayer was the real author of this constitution. He was assisted in its preparation by Henry W. Hardon, and the late Washington F. Pedrick, who was secretary of the Geneva Commission. That Professor Thayer was the author of the Williams Constitution appears from the following statement of Henry W. Hardon:

"In 1889, the Territory of Dakota was about to be admitted to the Union as two states. Mr. Henry Villard was at that time chairman of the finance committee of the Northern Pacific Railway, the most important corporation operating in that territory. He was sincerely desirous that the two new states should start right, that they should have the best constitution which could be framed for them, and with that purpose in mind he consulted Mr. Charles C. Beaman, then one of the leaders of the New York bar. Mr. Beaman advised him that if he could get Professor Thayer to draft a constitution for the new states, they would have the benefit of all that expert knowledge and sound judgment could accomplish in that respect. Professor Thayer undertook the task. His draft-constitution was submitted to the two conventions, and was in large part adopted by them. The legislative article in the Constitution of North Dakota, for example, is substantially word for word the language of Professor Thayer's draft.

"It rarely happens to a teacher or to a lawyer to accomplish a piece of constructive work of this kind, a piece of work affecting so widely the interests of so large a community, affecting them not merely for the present but for the future.

"You may think it singular that the authorship of a work of this importance should wait until this time for public disclosure. The fact is, that it seemed prudent when the work was doing to conceal its authorship. Though Mr. Villard was moved only by a single-hearted desire to promote the welfare of the two new states, it was feared that a draft-constitution prepared by an eastern college pro-

LINDA W. SLAUGHTER

First postmaster, Bismarck, 1873

ALANSON W. EDWARDS

Fargo pioneer

CLEMENT A. LOUNSBERRY, BISMARCK

Photo at twenty-one years of age, when captain in Twentieth Michigan Volunteers

ERASTUS A. WILLIAMS

Bismarck pioneer, lawyer and legislator

fessor, under the direction of a Wall Street lawyer and at the instance of the head of the largest corporation in the territory, might fail of adoption if its authorship were known; that the people whom it was desighed to benefit might entertain a suspicion that a constitution so prepared, however fair upon its face, concealed some sinister attack upon their property rights. The two constitutions have now been in force some fifteen years. Their merits have been proved in that time. But two amendments have been made to the North Dakota Constitution, and one of these incorporates a clause from Professor Thayer's draft omitted by the Constitutional Convention. The principal actors in this scheme to help the people of the Dakotas are now all dead, and I am the only survivor of the two young men who were engaged in the preliminary work under Professor Thayer's direction. The occasion for concealment of the origin of these constitutions has now passed, and the facts I have narrated should not be lost for lack of a record."—From a speech of Henry W. Hardon, Esq.

From E. R. Thayer, dean of Law School, Harvard University:

"I enclose a copy of what Mr. Hardon said in 1904, when my father's portrait was presented to the Law School. His remarks may be found in the printed volume containing the proceedings.

"I think, however, that Mr. Hardon's memory is defective in some points. I do not believe that Mr. Villard consulted my father on Mr. Beaman's advice; Mr. Villard and my father had long been personal friends and I think that Mr. Villard came to him of his own motion, because of this friendship and my father's long study of constitutional law in the Harvard Law School. Mr. Beaman was, I believe, Mr. Villard's regular counsel, and Mr. Villard sought the advice of both my father and him. But while Mr. Beaman and my father were friends, and no doubt consulted together in this matter, I think their operations were in a sense independent.

"I doubt, also, whether my father's work is represented in the North Dakota Constitution to the extent which Mr. Harden thinks; certainly that constitution differs much (although not so much as the constitution of some other states) from my father's ideal of a constitution. He believed earnestly that it should consist of a brief enunciation of a few fundamental principles, leaving the Legislature a free hand, subject to these principles, to exercise governmental powers in the broadest way, and he was utterly opposed to the belittling restrictions on legislative power to be found in state constitutions. This is a criticism to which I feel sure he would have thought the North Dakota Constitution also subject."

Professor Ezra Ripley Thayer, who strikingly resembled his father in mind, feature and manner, had been dean of the Harvard Law School since 1910, and in that year, also, became Dane professor, and was known as an authority in medical jurisprudence. He died a suicide by drowning in the Charles River, near his home, on the night of the 14th of September, 1915, at the age of forty.

Mr. Parsons, of Morton, introduced the Constitution of South Dakota. It was not printed, however, as a file or in the journal, as copies of it were upon the desks of members. By direction of the convention no proposition or proposed article could be introduced after Monday, July 22d, and on that day the convention by vote required all standing committees to make reports by Thursday, July 25th.

File No. 25 vesting the legislative authority in a single body to be called the

Legislative Assembly, was taken up for discussion in the committee of the whole. The subject was exhaustively covered in brilliant, spirited and illuminating speeches, showing care and research in their preparation.

Delegates Stevens, Turner, Parsons, of Morton, Johnson and Lauder advocated and Carland and Harris opposed it. Persons interested in this subject, either as an academic question, or as a feature of the government, will find this debate a mine of historical lore. The convention, however, adhered to the precedents and adopted the two-house system of older states. Articles recommended by standing committee to form a part of the constitution were usually agreed to without debate, but the article relating to the

SALE AND DISPOSITION OF SCHOOL LANDS

was an exception. There was a wide diversity of sentiment among the delegates as to what probably would be most advantageous to the state, whether the land should be leased, or sold on long time, the title remaining in the state until the purchase price was fully paid; whether the right to purchase should be restricted to actual settlers, the purchase limited to 320 acres, to prevent speculators acquiring large tracts; whether persons who had settled upon school lands after they were surveyed and had cultivated and otherwise improved them should have a preference right to purchase such improved lands, or should be regarded as trespassers upon the public domain, and whether the lands sold could be lawfully taxed until patented by the state. The sentiment crystallized in favor of an open, unrestricted sale on time contracts, the lands to be subject to taxation from the date of such contract.

THE SUFFRAGE

The committee on elective franchise of July 25th made a majority and minority report. It differed on the question whether the power to grant suffrage to women should be left to the Legislature, or submitted to a vote of the qualified electors of the state by the first Legislative Assembly. After a spirited and lengthy discussion, the convention adopted a provision which empowered the Legislature at its discretion to make further extensions of suffrage, without regard to sex, but prohibited any restrictions of the suffrage without a vote of the people, and a provision making women qualified voters at any election held solely for school purposes, and eligible to hold school offices, was incorporated in the articles on the elective franchise. However, the convention the next day reconsidered its action and substituted a provision which is now a part of the constitution, whereby the Legislature is empowered to make further extensions or restrictions of suffrage, when authorized thereto by a vote of the people.

THE JUDICIARY

The committee on the judiciary department also submitted majority and minority reports. The majority report recommended the establishment of a Supreme Court, to consist of three members, and prescribed that no one unless learned in the law, of thirty years of age, and a resident of the territory for five years next preceding his election, should be eligible to the office. Guy C. H. Corliss, of Grand Forks, who aspired to the Supreme Court, was ineligible, by reason of his residence qualification. He came to Bismarck, together with John M. Cochrane, a notable lawyer of Grand Forks, and they jointly persuaded the delegates to limit the residence qualification to three years. Mr. Corliss was elected to the Supreme bench. He drew the short term and became the first chief justice of the state.

The majority of the committee recommended and reported to the convention the establishment of a Probate Court in each organized county, clothed with jurisdiction of the estate of decedents, wills, estates of widows and orphans, and of guardianship.

The minority proposed a system of county courts, clothed with jurisdiction of all probate matters, and jurisdiction of civil matters involving sums not exceeding $1,500 and jurisdiction of criminal matters below the grade of felony, and in all cases of lunacy. Mr. Rolfe, a delegate from Benson County, vigorously advocated the substitution of the County Court system, saying in part:

"That the system of Probate Courts as we now have it * * * is a disgrace not only to our judicial system, but to the people who seem to hug it to their bosom. * * * It is mysterious to me upon what ground they can defend the continuation of this system."

Mr. Bartlett, of Griggs, defended the County Court system, saying in part:

"The County Court system has been tried before. It is in use in Illinois, Colorado, New York, Nebraska, Missouri and several other states. They say that it is the most popular court with the attorneys and the people. * * * The minority does not propose the establishment of a new court, but an improvement in a court already established."

Mr. Carland, chairman of the judicial department, on August 2d, introduced a substitute for the probate system, which provided for county courts whose jurisdiction could be increased whenever counties having a population of two thousand or more should by a majority vote of its people decide to increase their jurisdiction. This was amended by adding a proviso, "Such jurisdiction as thus increased shall remain until otherwise provided by law," and the substitute as so amended was adopted by the convention.

Mr. Williams, on July 31st, had introduced four additions to be added to the judicial article; they were taken from the complete constitution introduced by him. The first section provided "When a judgment or decree is reversed or affirmed by the Supreme Court, any point fairly arising upon the records of the case shall be considered and decided and the reasons therefor shall be concisely stated in writing. * * * and presented with the record of the case."

The second section empowered the Supreme Court to make rules for its government and that of the other courts of the state, establish rules of practice and rules for admission to the bar of the state.

The third section made it a duty of the court to prepare a syllabus of the points adjudicated in the case and concurred in by a majority of the judges.

The fourth section required the judges of the Superme Court to give their opinion upon important questions of law and upon solemn occasions, when requested so to do by either branch of the Legislature.

The first and third sections were accepted by the convention. The second section was stricken out. The fourth section led to much discussion. Judge Carland in an elaborate speech presented the reasons why it should not be accepted as a section of the constitution. He believed it to be pernicious and unwise to have it in the constitution. He fortified his views by reviewing the experience of Colorado, whose constitution contained a similar provision, and by quoting liberally from the opinions of its Supreme Court judges in the case of Wheeler vs. Irrigation Company, 9 Colorado, 249. Judge Carland stated that a constitutional provision of this kind was open to grave abuses and asked that it be stricken from the slate.

Delegate Miller also opposed the proposition, saying the fundamental principle of our constitutional government is that it should be divided into three departments, legislative, executive and judicial. The proposition interfered with this division of the government. It would be burdensome to the Supreme Court, and result in no good to the people. It would make the Supreme Court the legal advisers of the Legislature, and the court would legislate by virtue of being called upon to advise the Legislature, hence political judicial legislation would follow.

Delegate Moer also protested, saying that the adoption of this provision would be simply an addition of three more lawyers to the Legislature. The opinion of the supposed questions would be ex parte, without a hearing and entitled to no more weight than that of the lawyers who might be present as members of the Legislature.

Delegate Johnson opposed, saying the only advantage that the Supreme Court has over a justice of the peace is that it has the last say of the case. They are no more than men who are not clothed with official position, or the attorney-general whose province it is to furnish legal advice to the executive and legislative departments of the government.

Mr. Williams favored the proposition, claiming that it should be adopted because it would place every member of the Legislature on an equality and would avoid forcing on the statute books an important law, one that might affect the interests of the entire people, and have it afterwards declared unconstitutional.

This provision had before this discussion been approved in the committee of the whole and adopted by the convention. The convention reconsidered its action and struck out the obnoxious section.

This committee had also unanimously agreed upon three terms of the Supreme Court to be held annually, at the "Seat of Government." Purcell objected to holding the terms at the "Seat of Government" and submitted a proposition for a "migratory court" of three terms, one term to be holden at Fargo, one at Grand Forks, and one at Bismarck, then the "Seat of Government." This proposition was debated at length, Delegates Purcell, Miller, Parsons, of Morton, Lauder and Spalding favoring it, and Delegates Scott, O'Brien and Selby opposing it. The Purcell proposition was adopted by the convention.

Brig.-Gen. Thomas H. Ruger of the Military Department of Dakota transmitted in accordance with instructions received from the War Department at Washington a proposed article ceding to the United States jurisdiction over the military reservation established in the state by the Federal Government. It was referred to the judiciary committee, which reported a section in conformity with the desire of the Government and ceding jurisdiction over military, Indian and other United States reservations and public buildings used for United States purposes. This section was adopted by the convention.

APPORTIONMENT

Apportionment and legislative representation, owing to diversity of sentiment among the delegates, was a difficult problem to solve. The more sparsely settled counties favored giving each county a senator, regardless of population, and strenuously opposed the principle of dividing the county into senatorial districts based on population, and also seriously objected to the election of representatives from the senatorial districts as favored by a majority of the legislative committee. It was stoutly maintained that every county should have at least one representative and that when two or more counties were grouped as a senatorial district the more populous county had power and doubtless would exercise it, to deprive the smaller county or counties of representation, either in the Senate or House.

Martin N. Johnson, in an impassioned speech, opposed representation by counties, rather than men, that laws were made for people and not for valleys, areas or inanimate objects. That there was no fairness or justice in the system that would give the forty-four men who voted in Billings the same senatorial representation as the 1,035 who voted in his own County of Nelson. The basis of representation should be men, not area. After full discussion and argument, the system of apportioning the county into senatorial districts according to population and the election of representatives from senatorial districts was adopted.

CORPORATIONS

The committee on corporations other than municipal presented a majority and minority report. The main differences related to the provisions in reference to railroads, whether they should be declared public highways, were subject to legislative regulation and control as to rates charged for the transportation of passengers or freight, and whether an appeal should be allowed to the courts from any law enacted by the Legislature prescribing rates, or from any decision of the Board of Railroad Commissioners fixing rates. The debate over these questions was an animated one, and participated in by Johnson, chairman of the committee, Miller and Bartlett of Dickey County, Lauder, Stevens, Parsons, of Morton, Moer, Camp, Flemington, Appleton, and Bell, seven lawyers and four laymen. The majority report was amended to include "sleeping car, telegraph and telephone companies as common carriers of passengers, intelligence and freight," and with this amendment was adopted by the convention. An amendment or substitute which differed materially only in a provision declaring that all such "common carriers should be entitled to charge and receive just and reasonable compensation for the transportation of freight and passengers within the state, and that the determination of what is a just and reasonable compensation should be a judicial question to be determined by the courts," was defeated in the committee of the whole, and a provision adopted empowering the Legislature to establish rates by act, or delegating power to a board which rates could not be charged by a common carrier, unless they were found by the courts to be unreasonable and confiscatory. An amendment which would compel the railroads to submit differences between railroads and their employes to arbitration met the same fate; while an amendment proposed by M. N. Johnson, who stated that he had been overlooked in the distribution of "passes" to the delegates, was referred to the committee on militia, the motion being made in a facetious way by Purcell, with no expectation that it would prevail. The convention, however, saw only the humorous side and thought fights for passes could be best refereed by the militia.

LOCATION OF THE CAPITAL AND PUBLIC INSTITUTIONS

Schemes for locating the capital engrossed the attention of the convention from its beginning. Delegate Mathews of Grand Forks County early in the session introduced an article to locate the "Seat of Government" temporarily at Bismarck, the Legislature at its first session after the admission of the state to the Union to provide for the submission of the question of a place for the permanent "Seat of Government" to the qualified voters of the state at the next general election thereafter. The place receiving a majority of the votes cast upon said question to be the permanent "Seat of Government;" if no place received a majority of all the votes cast upon said question, the governor was to issue a proclamation calling an election to be held in the same manner at the next general election to chose between the two places having the highest number of votes at the first election. The place receiving the highest number of votes at this election to be the permanent "Seat of Government." Delegate Lauder, of Richland County, early in the session offered a resolution for the appointment of a select committee to which all propositions relating to, or in any manner affecting the question of the "Seat of Government" should be referred. It was defeated by a vote of the convention, and the Mathews article was referred to the standing committee of public institutions and buildings. Bailey Fuller, as mayor of Jamestown, invited the convention to hold its remaining sessions at that place, promising ample accommodations for the meetings of the convention proper, rooms for its committees and free entertainment of the delegates. The invitation was declined.

Delegate Miller, of Cass County, introduced an article locating the capital at Bismarck, and the public institutions at various cities and allotting to each a proportion of the 500,000 acres of land granted by the omnibus bill for capitol and public building purposes. The location of the capital was the silent, powerful undercurrent of the convention: There were two strong combinations of delegates formed, one known as the Bismarck-Fargo union, the other as the Grand Forks, the first to locate the capital permanently at Bismarck. The Fargo-Bismarck combination considered Bismarck the most available point for the "Seat of Government," and desired the agricultural college at Fargo. Behind, or supporting this combine, was the powerful influence of the Northern Pacific, and this together with the distribution of the institutions that would be established, promised the necessary votes to carry the Bismarck-Fargo scheme.

The Grand Forks combine was behind the Mathews scheme, hoping and expecting that by the process of elimination of other cities with capital aspirations, Grand Forks would eventually be selected as the permanent capital.

The committee on public institutions and buildings differed on the location of the capital and presented majority and minority reports thereon. On August 7th, the convention proceeded to the consideration of the reports as a convention without filtering them through the committee of the whole, and then ensued the most thrilling, sensational debate of the session, reinforced as it was by meetings, protests and remonstrances of mass meeting of citizens and conventions in various counties, and petitions of individuals. These petitions and protests were generally expressed in forceful language, devoid of threats or insinuations of corruption, or that other than proper motives actuated the members who favored the Bismarck-Fargo scheme. The City of Grand Forks was in a "state of mind" over the capital location. In the estimation of some of its citizens, the locating of the permanent capital was "a mendacious exhibition of public villainy and corruption." One protest from there was as gross and as indecent an attack as has ever been visited upon any body or any representative character or dignity whatsoever, while a petition signed by S. S. Titus, then cashier and now president of the First National Bank of that city, and 112 others, was respectful in tone and was expressed in forceful and appropriate language of dissent and protest.

David Bartlett, of Griggs County, proposed as the first section of the majority report "the following article shall be submitted to the vote of the people as a separate article, as provided by the scheme," and asked for its adoption, saying that the people have the right to locate these institutions, and it was wrong to deprive them of that right. That a refusal of this section would compel at least thirty members to refuse to sign the constitution, and to advise their constituents to reject it. That he was satisfied that the vote to pass the article as reported by the majority of the committee was obtained not only by the distribution of the institutions, but by every means known to the power of corporations, by promising and farming out so far as that influence could go, every office and position of the state ticket the coming fall. The Grand Forks Herald upon the authority of Delegate Bennett published a statement charging President Fancher with suppressing the reading of telegrams of remonstrance. The statement was false and untrue. It was investigated by the convention and shown by several members that the attempt on the part of the chief clerk to read the telegrams had been frustrated by motions to adjourn. The convention by a yea and nay vote exonerated the president. Seventy-one votes aye, no nays, Bennett himself voting aye.

Delegate Pollock spoke briefly, contending that it was the right of the people through chosen representatives to determine the question, that the delegates were not the representatives of the people to decide it. It might endanger the adoption of the constitution.

Johnson asked, is it possible that gentlemen in the majority will sit here in silence and give no reason for their course of conduct? Is it so indefensible that no one will attempt to justify it? Why compel some thirty delegates to refuse signing the constitution and compel them upon their return to their homes to advocate the rejection of the constitution?

Purcell made the elaborate argument against the article. It attempted to locate institutions for which there was no existing need, and in all probability would be no need for fifty years. We have all the institutions that we need for the present, and for some future time to come. The matter should be left in the hands of the Legislature. It is something unheard of in the history of our country, and while Wahpeton is represented in this article, he said that in opposing it he was doing just what his constituents required of him.

Bell, of Walsh County, in a vehement speech bristling with sarcastic allusions to the convention's love for and devotion to the interests of the dear people, characterized the article as infamous and so weighted down the constitution that it would never be ratified by the people.

Bennett, of Grand Forks, openly charged that the capital was located at Bismarck in the interests of the two great railroads of the state.

Stevens, of Ransom County, advocated the adoption of the majority report and defended the location of the capital and institutions. It would prevent jobbery and corruption in the Legislature. Upon the conclusion of the debate, Bartlett's amendment was defeated by a vote of 31 yeas to 43 nays, and the Miller motion to adopt the report of the majority prevailed, by a vote of 44 yeas to 30 nays.

Delegate Johnson added to the interest of the occasion by proposing an amendment striking out "Bismarck in the County of Burleigh" and inserting in lieu thereof, Jamestown in the County of Stutsman," saying to the Jamestown delegation that the minority had the power and were willing to give Jamestown the capital for all time to come. Five votes was enough to do it. Blewett, of Jamestown, questioned the good faith of the minority, and the amendment was lost by a vote of 19 yeas to 55 nays. The previous question was ordered and the main question to adopt article 19 prevailed by a vote of 44 yeas and 30 nays, all the delegates-elect, except Parsons, of Rolette, who is recorded as absent and not voting. During the calling of the roll of delegates and when their names were read, Camp, Parsons, of Morton, Rolfe, Turner, Williams and President Fancher explained their votes. A motion to reconsider the vote and that the motion to reconsider be laid on the table prevailed. The convention believed the agony was ended, but it was doomed to disappointment, for on consideration of the report of the revision and adjustment committee, Bartlett, of Griggs, renewed the motion to substitute the provision for article 19 as adopted. This motion was laid on the table. He then moved that the article be submitted as a separate article to be voted on separately.

Delegate Miller moved to lay the motion on the table.

Delegate Williams demanded the previous question on this mtoion, which was seconded, and the convention proceeded to vote on the main question, which was the adoption of the article. The vote was taken by yeas and nays, and adopted by a vote of 43 yeas to 28 nays. The old combine, standing in solid phalanx, voted yea.

Delegates Peterson and Selby were absent and not voting, and Delegates Almen and Scott were paired.

Delegates Bean, Camp, Johnson, Lauder, O'Brien, Pollock, Stevens, Turner and Wallace explained their votes. Stevens in explaining his vote said: "I voted aye on this proposition so that the City of Bismarck may sit on her seven hills and be the most beautiful capital of the four new states."

In his explanation of his vote Delegate Bean said that he came to the convention opposed to the location of the capital and institutions by the convention. First two votes on that question showed that fact. His third vote was in the affirmative, that he might move a reconsideration. An indignation meeting of his constituents was instigated he said by one of the members of this convention and condemned the action of the majority. He had seen more political trickery, jobbery and attempted combinations of the minority than he ever saw in any political convention he ever attended. The serious question is not where we shall locate these institutions, the underlying question is, shall the City of Bismarck, or Grand Forks, have the capitol? This last statement aroused the ire of Delegate Bennett of Grand Forks, who, although debate was out of order, indignantly characterized it as false, that Grand Forks had never proposed to enter a combination to locate the capital, but when it saw this combination of forty-four bound to locate the capital at Bismarck, it felt justified in trying to break it if possible. That was the course of the people from Grand Forks. An obstreperous partisan of the committee called out from the gallery "rats," and thus gave Purcell an opportunity to rebuke the partisan uttering the opprobrious epithet, and to say that the caucus of the minority was not called or organized by the minority, but at the call of outsiders who pretended to be able to bring to the assistance of the minority some of those who have voted with the majority. In all of their meetings there had been no attempt at chicanery, or underhand action, to defeat the will of the minority. Camp explaining his vote in part said: "I was called home a week ago to attend an indignation meeting, at which the delegates from Stutsman County were to be burned in effigy, or otherwise honored; however, we were not burned in effigy, or otherwise dishonored."

The people of Jamestown thought there was still a possibility that that city could be named for the temporary "seat of government," at least, and they were encouraged in this belief by a member of the Grand Forks delegation, who was present at this indignation meeting, and who stated to the meeting that he could secure from the majority who were supporting Bismarck enough votes, which, with the Stutsman County delegation, would be able to locate the capital at Jamestown. With this end in view, the Stutsman County delegation entered the caucus, which has been referred to by the delegates. There were a number of sessions of this caucus, but when it became a certainty that the larger number of the minority would not agree to any proposition to locate the capital, either temporarily or permanently at any place without a vote of the people, the Stutsman County delegation withdrew and believing that the interests of Stutsman County and the entire state will be best subserved by locating the capital and public institutions as provided in article nineteen, the Stutsman County delegation decided to vote therefor.

CONVENTION IN SESSION FORTY-FIVE DAYS—EXPENDITURES

The appropriation of $20,000 by Congress was insufficient to cover the necessary expenditures for printing and clerk's help for the convention and its committees. The convention had authorized in its last days the publishing and distribution of 1,000 bound volumes of the "debates" and the publishing of the constitution in the daily and weekly newspapers of the state, and the payment of the sum of $10 to each paper so publishing and circulating the document and provided in the schedule that the first State Legislature should appropriate a sufficient sum to pay the same. The convention was in session for forty-five days, and the appropriation of $20,000 by Congress to pay the per diem of members, officers of the convention, clerks of its committees, printing of its files and journals, was only sufficient to cover the expenses of the convention for thirty-one days. The convention authorized the issue of certificates of indebtedness signed by the president and chief clerk, to members and officers for fourteen days' services, and to clerks of the standing committees, including the clerks, stenographers and expert accountants of the joint commission, for any services rendered. All such certificates to be redeemed by the state. By chapter 14 of the Session Laws of 1890 the state auditor was authorized to issue "funding warrants" bearing 5 per cent interest and payable at the option of the state treasurer to provide funds for the payment of the expenses incurred by the Constitutional Convention in excess of the sum appropriated by Congress.

Funding warrants in the sum of $11,637.20 were issued on March 3, 1890, and sold by the state treasurer at a premium of $9.50, netting the state $11,646.70. During the period between February 24 to August 15, 1890, bills in the sum of $10,898.46, incurred on account of the Constitutional Convention were paid by the state treasurer. The Congress made a supplemental appropriation to cover the deficiency account of the Constitutional Convention and on March 26, 1891, the state treasurer received from the Federal Government $10,854.71, which sum was $43.75 less than the deficiency account of the Constitutional Convention. There is nothing in the state records which explains this discrepancy. It is probable that it was caused by the disallowance by the accounting officer of the Federal Government of some item or items which, although certified by the state as an expense incurred by the state, were considered by these accounting officers as not properly chargeable to the Constitutional Convention. It may, however, have been caused by an oversight of the state in the omission of some item or items of the expenses properly incurred by the Constitutional Convention, and paid by the state in the certified account of the Constitutional Convention expense sent to the Federal secretary of treasury. The state funding warrants were redeemed and paid by the state treasurer on the same day the remittance was received from the Federal Government. The state paid as interest due thereon the sum of $644.31, a total cost to the state for the Constitutional Convention of $688.06.

THE JOINT COMMISSION OF NORTH AND SOUTH DAKOTA

The Enabling Act prescribed that the Constitutional Conventions of both North and South Dakota should select a joint commission to be composed of not less than three members of each convention, "whose duty it shall be to assemble at Bismarck, the present seat of government of said territory, and agree upon an equitable division of all property belonging to the Territory of Dakota, disposition of all public records, and also adjust and agree upon the amount of the debts and liabilities of the territory which shall be assumed and paid by each of the proposed states of North Dakota and South Dakota, and the agreement reached respecting the territorial debts and liabilities shall be incorporated in the respective constitutions, and each of said states shall obligate itself to pay its proportion of such territorial debts and liabilities, the same as if they had been created by such states respectively."

The convention empowered its president to appoint a commission of seven members to act with a similar commission from South Dakota, to prepare and submit an agreement to comply with this provision of the Enabling Act. The president appointed as such commission four lawyers and three business men, viz.: Edgar W. Camp, of Jamestown, chairman; William E. Purcell, of Wahpeton; Burleigh F. Spalding, of Fargo; Harvey Harris, of Bismarck; Alexander Griggs, of Grand Forks; John W. Scott, of Valley City, and Andrew Sandager, of Lisbon. The commission was granted leave to sit during the sessions of the Constitutional Convention, and also to employ such clerks, expert accountants and stenographers as it deemed necessary.

South Dakota appointed a commission of seven members. Judge A. G. Kellam was its chairman. The other members were Vallentine T. McGillicuddy, Henry Neill, E. W. Caldwell, William Elliott, Chas. H. Price and S. F. Brott. These commissions met on the afternoon of July 16th, in the office of the governor of the territory, and organized a joint commission by the selection of A. G. Kellam of South Dakota as temporary president, and Andrew Sandager and Vallentine T. McGillicuddy, secretaries. W. G. Hayden of North Dakota and L. M. McLaren of South Dakota were selected as assistant secretaries.

To equalize honors, the commissions provided that the chairmanship of the joint commission should be held by the chairman of the North Dakota Commission, Camp, and the chairman of the South Dakota Commission, Kellam, alternating day by day, and adopted as a rule of procedure in the disposition of all matters before the joint commission, that the roll of the commissioners be called and if a majority of the members composing the North Dakota Commission, and a majority composing the South Dakota Commission, should record themselves in the affirmative, the proposition thus voted upon should be declared carried, otherwise not. The commission held daily sessions from July 7th to 31st, inclusive, five days it had two sessions daily, and on July 31st, three sessions were necessary to complete its work.

Divers views as to the power of the commission under the provisions of the Enabling Act were held by the members of the North and South Dakota Commissions as to the proper construction of sections three and six thereof.

Further, it was the duty of the commission to determine not only the proportion of the territorial debt to be assumed by the respecive states upon admission, but also its duty to provide for the division of the public records, or whether the Enabling Act required such division to be made by the respective states when admitted to the Union.

The Enabling Act had prescribed as to the territorial bonds issued to erect buildings for institutions, that such bonds should be assumed and paid by the state where the institutions were located, and the Territorial Legislature had provided in the laws establishing these institutions and authorizing the issuance of bonds therefor, that in the event of the division of the territory happening, the payment of the interest and principal of such bond should be assumed by the territory or state, as the case might be, where the institutions were located. South Dakota had ten institutions within its confines, North Dakota had four. All appropriations for betterments and purposes other than maintenance had been made by the territory from its general fund, viz.: $91,170.13 for institutions located in South Dakota, $69,084.78 for institutions located in North Dakota, and an excess of appropriations to South Dakota of $22,085.35.

The joint commission finally determined after full discussion that it was within its powers to provide for the disposition of all the public records, as well as the assets and miscellaneous properties belonging to the territory. It appointed a committee of two, one from each commission, to examine and report what books and records it would be necessary to transcribe, and the probable expense of such transcription; to determine as to who shall have the copies of the public records, and who the originals; also a committee of two to examine and report upon the condition of the public library and public documents contained therein, and report an estimate of its value; the committee to ascertain and report the amount of military property belonging to the territory and its whereabouts; a committee to ascertain and report on the condition and value of any miscellaneous property; a committee to collect and classify information relative to the claims against the territory and of accounts due the territory, and a committee to ascertain the amount appropriated by the Federal Government to the Brookings Agricultural College and Experiment Station, and what portion thereof has been used for permanent improvements.

On July 24th, these committees reported either verbally or in writing.

The committee on the library recommended that sealed bids be submitted by North Dakota and South Dakota. South Dakota bid $4,000; North Dakota, $750. It developed in the debate on the library that a majority of reports and text books belonging to the library were in the offices of lawyers living in Yankton and other places in South Dakota, and South Dakota evidently expected to recover most of them, otherwise it could not have valued the fragments of the library at Bismarck at $4,000. It really was of less value than the sum named by North Dakota.

The committee on books, records and archives recommended that they be divided into two groups. The choice of groups to be determined by lot. North Dakota won the first choice, and selected the group made up of the books and records of the governor's and secretary's offices. The group made up of the books and records of all other territorial officers went to South Dakota. The expense of copies of any of these records, it was agreed, should be borne equally by both states.

Upon the submission of the reports of these several committees it was agreed that the commission of North Dakota, and the commission of South Dakota, each should submit a proposition in writing for a settlement of all matters except the public records, and such propositions were submitted on July 25th.

The two propositions, so far as public institutions were concerned, were substantially similar. As to assets and liabilities, the South Dakota plan was to divide them between the two states according to the counties concerned. Claims of the territory against counties on account of delinquent taxes should go to, and belong to the state within which such counties might be situated and credits for taxes overpaid should likewise belong to such state, balance of cash on hand upon the termination of the territorial government should be assumed and paid by North and South Dakota share and share alike.

The North Dakota proposition was that all personal property and miscellaneous effects now in South Dakota, excepting military outfits and accoutrements, should be the property of South Dakota, all of the same in North Dakota, excepting military outfits and accoutrements and excepting the furniture and fixtures of the capitol at Bismarck, should be the property of North Dakota, South Dakota to pay to North Dakota in full settlement of all outstanding accounts, and of all claims against the territory arising out of the unlawful taxation of the Northern Pacific Railway lands, which claims should be assumed by the State of North Dakota, the sum of $60,000. Should South Dakota desire the State of North Dakota to assume the ownership and control of the capitol at Bismarck, with its furniture and fixtures, including all claims arising out of the expense of the grant of lands made to the territory for capitol purposes, and further to assume its bonded indebtedness, North Dakota will do so upon payment to North Dakota of the sum of $40,000, all other indebtedness and unliquidated debts to be borne equally and all claims in favor of the territory shall accrue to the respective states in like proportion. North Dakota shall be entitled to all delinquent taxes due the territory from counties located in North Dakota, and the same as to South Dakota. From and after March 11th, South Dakota shall be credited with all taxes collected from counties within its boundaries, and charged with all moneys paid out by the territory for appropriations made to public institutions situated therein, and one-half of all other expenditures, and the same as to North Dakota. The North Dakota proposition was discussed and explained at length, and that fixing March 11, 1889, from which each state should be credited with taxes collected and charged with money paid out. Upon the conclusion of the debate the joint commission appointed Chairman Camp of North Dakota and Chairman Kellam of South Dakota as a committee to confer as to the differences between the two commissions, and to reach an agreement thereon, if possible, and report the same to the joint commission for consideration. This committee reported an agreement of twenty-four sections, covering bonds, indebtedness, liabilities and disposition of all property, and a separate agreement in relation to the books, records and archives. Both were considered article by article, and the joint commission unanimously agreed to the same, and it was signed by all members and the joint commission thereupon appointed Mr. Purcell of North Dakota and Mr. Caldwell of South Dakota to draft the article to be submitted to the respective conventions for insertion in the constitutions of the states. This committee reported the article to be submitted to the conventions on the 31st day of July. It was unanimously approved. The convention, having completed its labor, adjourned subject to the call of the chairman. No call was ever made, as the agreement made and the article to be embodied in the two constitutions was satisfactory to both states, and was adopted and incorporated in the constitutions and schedules of the respective states.

When the agreement and proposed article was reported to the North Dakota Convention by Chairman Camp, it was considered by the committee of the whole on August 8th, which committee recommended the adoption of the article recommended by the joint commission, and also that the state should appropriate $25,000 to reimburse counties containing lands which formed a part of the grant to the Northern Pacific for taxes illegally assessed upon the same, and refund to purchasers of such lands at tax sale and also recommending "That the shorthand notes of the proceedings of the joint commission be transcribed and printed with the debates of the convention, inasmuch as, so far as the commission is informed, said joint commission is the first body of the kind ever convened."

THE CONSTITUTION. HOW IT WAS MADE

The convention in framing the constitution had the benefit of suggestions and the advice of a number of distinguished men who, upon its invitation, addressed it. Among these were Arthur C. Mellette, then governor of the territory, who called attention to the two policies which had heretofore prevailed in framing constitutions. The early policy that a constitution should embody fundamental principles only, the later policy that it should embody all legislation that was rightful and which could safely be placed there, and avoid the evils of excessive legislation, and the confusion necessarily arising from new laws enacted every two years by the Legislature.

Judge Cooley of Michigan, an eminent jurist, and a recognized author of constitutional law, advised the delegates to remember that times change, that many new questions were vital today which were unknown to the constitution makers of a hundred years ago. Therefore the Legislature should not be prevented from meeting those evils, which are sure to come. In your constitution you are tying the hands of the people, therefore, do not legislate too much. The convention heeded this advice and our constitution is comparatively free from legislation, much more so, for illustration, than the constitutions of South Dakota or Oklahoma.

Rev. R. C. Wiley, of the National Reform Association, who "urged legislation for Sabbath observance, for regulation, management and advice, for instruction in the principles of virtue, for teaching Christianity and morality in the schools, and the recognition of God and Christianity in the constitution."

God is recognized in the preamble to our Constitution.

Henry B. Blackwell, of Boston, advocated suffrage for women, or at least the placing of a clause in the constitution empowering the Legislature to extend the suffrage to women in the future. The constitution empowers the Legislature to extend the suffrage to women, or restrict the same, upon a vote of the people.

C. J. Buell, of Minneapolis, advocated the "Single Tax," but the delegates would have none of it.

Senators Stewart and Reagan, two members of the United States Senate committee on irrigation, and Major Powell, director of the Geological Survey, addressed the convention on August 5th.

Senators Stewart and Director Powell spoke on irrigation interests briefly and its possibilities in the Northwest and advised "Hold the waters in the hands of the people." Replying to this the delegates inserted in the constitution "All flowing streams and water courses shall forever remain the property of the state."

Senator Stewart did not restrict himself to discussing the benefits of irrigation, but expressing himself as opposed to irrigation debts and mortgages, because they took the independence and manhood out of the people. He elaborately discussed the demonetization of silver by the United States in 1873, by England, Austria, and Holland in 1871, and the demonetization of gold by France in 1869, and by Germany, Austria and other (minor) European states in other years. He was in favor of the use of both gold and silver as money and plenty of it, and believed that the Congress was, and trusted that the people of North Dakota would send no representative to Congress that would represent New York City, London or Berlin.

Senator Reagan paid scant attention to the subject of irrigation, but discoursed at length on silver. He stated that the convention in its constitution has to shape the policy of the state, and its action, and the action of the people which immediately follows it will determine in a great measure its capacity for forming a government which will protect the people. "Do not send men to Congress to represent the bond holders and the money men to further oppose the people, and go further to change the character of this government, or rob the people of their sovereignty and make them slaves of the money power. Send the right men and we will make the coinage of silver free and unlimited like gold." This advice and admonition failed to impress the delegates or the people and North Dakota has, with the exception of Senator Roach, always sent representatives and senators to Congress who were opposed to the unlimited coinage of silver and in favor of the gold standard.

Upon the conclusion of these addresses, M. N. Johnson rose to reply, and referred to Senator Reagon as a man deep rooted in the principles of democracy and selected by Jefferson Davis, president of the southern confederacy as a member of his cabinet, he having served as postmaster-general therein, and wondered if Senator Reagan was studying irrigation in the days when those delegates wearing "Grand Army badges" were irrigating the trenches before Vicksburg, the battlefield of Gettysburg, and the soil of Andersonville with the blood of themselves and their comrades: he was interrupted by Delegate Purcell, with the question, "Does the gentleman mean to cast any reflection on the senator from Texas by his remarks?" Mr. Johnson answered, "No, sir."

Delegate Mathews of Grand Forks, who served as a soldier in the War of the Rebellion, and then wore the "Grand Army badge," moved to adjourn. The motion was out of order under the working rules of the convention, but was entertained and being promptly put by the president, was adopted without dissent, and thus the most regrettable incident in the constitutional history was closed.

In the preparation of the constitution, the delegates had access to "charters and constitutions of all the states" published by Congress. Copies of the constitution of South Dakota, the Enabling Act, and a territorial bill providing for the Australian system of voting were on the desks of delegates as well as abstracts of "Hough's American Constitution," covering twenty topics which Delegate Williams had prepared and placed on the members' desks. The delegates diligently searched these constitutions and with the experience of a century to draw from the constitution makers culled that which was best and shunned errors from which older states had suffered. There are few original provisions in the constitution adopted. It is a compilation of the best provisions of existing constitutions modified to conform to the conditions in the state. From the Omnibus Bill was mainly culled the compact between the state and the United States. From Illinois the provision for county courts. From Minnesota, the provision relating to the sale of public school lands, and the investment of moneys derived from the sale. From Pennsylvania the provision relating to Board of Pardons. From New Hampshire, provisions as to amendments to the constitution. From the Williams constitution came the preamble, and many of the legislative provisions. From California some material for the taxing of railroads; the inscription of the great seal, "Liberty and union now and forever, one and inseparable," from a speech of Daniel Webster in the Senate of the United States. From the United States

Constitution some provisions which are embodied in the declaration of rights; ceding jurisdiction over military posts came from the secretary of war, through General Ruger.

REVISION AND ADJUSTMENT

The Committee on Revision and Adjustment were authorized on August 8th to have their report printed and submitted their final report on August 13th. It was a complete constitution and arranged under appropriate heads and sections consecutively numbered. The amendments recommended were indicated at the section to be amended. Each delegate was furnished a printed copy of this final report. It was considered section by section and when any article was adopted it was immediately referred for engrossing by the enrolling and engrossing clerks. On this review, the delegates found that their own work in the committee of the whole was not always satisfactory. "The convention in undoing what it had done the day before, performed the most commendable day's work of the session. The compelling of the Supreme Court to give opinions when called upon, and the Legislature to extend, but not to restrict the right of suffrage, was a pair of very ridiculous propositions," said the Bismarck Tribune at the time. The schedule contained the agreement of the joint commission on the division of the public records of the territory, provision for an election to adopt or reject the constitution and for the taking effect of the constitution. The Committee of the Enrollment and Engrossment were authorized to correct the copy of the constitution furnished them. They made few changes in phraseology and punctuation, and at the night session of Saturday, August 17th, reported a correctly enrolled and engrossed constitution. The chief clerk was empowered to renumber the sections, which was adopted as a whole by a viva voce vote. The yeas and nays were demanded by a sufficient number, the roll was called and the constitution was adopted by a vote of 40 ayes and 23 nays, 12 delegates being absent and not voting. The constitution was signed by the president and chief clerk in open convention, and by a number of the delegates, who by motion duly adopted, were invited so to do and the constitution so signed was deposited by the chief clerk in the office of the secretary of the territory. On the day preceding adjournment the convention by resolution provided for the publishing of 1,000 volumes of the debates and also thanked the president and the permanent officers of the convention for the fair and efficient manner in which they had discharged their duties, and presented to President Fancher the chair he had occupied, and the gavel he had wielded. On the last day, the delegates presented Fancher with a framed group picture of the delegates, and Chief Clerk Hamilton was the recipient of a similar picture, as an appreciation of their services. On the night of Saturday, August 17th, on motion of Rolfe, of Benson County, the convention adjourned sine die, and passed into history.

SUBSEQUENT PROCEEDINGS

Arthur C. Mellette, as governor of the Territory of Dakota and by virtue of the authority vested in him by section twelve of the schedule of the constitution, on August 29, 1889, by proclamation caused an election to be held on the first

Tuesday in October, to elect congressional, state, legislative, judicial and county officers as provided in the constitution and to adopt or reject the constitution, and to adopt or reject the prohibition article to be voted on as a separate article. The constitution was ratified at this election by a majority of 19,334, there being 27,441 votes for ratification and 8,107 against. Every county in the state gave a majority for ratification, except the counties of Grand Forks, Nelson and Walsh, which gave an aggregate majority of 3,418 against ratification. This was more than offset by Burleigh and Cass counties, which gave an aggregate vote of 5,079 for ratification, only two votes against ratification were cast in Burleigh and thirty-one votes in Cass County.

The prohibition article on a separate vote was ratified by a majority of 1,159. The delegates "slipped a cog" when they provided in the schedule that congressional, state, legislative, judicial and county officers should be chosen at the same time the vote was taken on the ratification or rejection of the constitution. This fact coupled with the fact that the republican and democratic parties held conventions and nominated full state tickets and did not as parties oppose ratification, made it morally certain that the constitution would be raified. In anticipation of ratification, Chief Clerk Hamilton had prepared an engrossed copy of the constitution and this properly certified together with a certified abstract of the votes cast by each county as canvassed by the governor, secretary of the territory and chief justice, were forwarded on the adoption of the constitution to President Harrison, who on the 2d day of November, 1889, by proclamation declared "the fact that the conditions imposed by Congress on the State of North Dakota, to entitle that state to admission to the Union have been ratified and accepted and that the admission of the state into the Union is now complete" and thus North Dakota was released from the shackles of territorial servitude, and endowed with the rights, duties and privileges of a sovereign state of the Union.

AMENDMENTS TO CONSTITUTION

Twenty amendments have been made to the constitution since its adoption. The first forbids the authorization of lotteries or gift enterprises for any purposes, and requires the Legislature to enact laws prohibiting the sale of lottery or gift enterprise tickets. The second relates to the elective franchise, and restricts suffrage to full citizens of the United States civilized persons of Indian descent who shall have severed their tribal relations two years next preceding each election, disqualifies persons under guardianship, non compos mentis or insane, those convicted of treason or felony, unless restored to civil rights, and requires the Legislature to establish an educational test as a qualification and empowers the Legislature to prescribe penalties for neglecting or refusing to vote at any general election.

The third to the Board of Pardons. The fourth to the assessment of property and how the property of railroad and public service corporations shall be assessed for purposes of taxation.

The fifth the school for the deaf and dumb at the City of Devils Lake, changing the name from asylum to school.

The sixth establishes an institution for the feeble minded at Grafton the Legislature to appropriate 20,000 acres of the grant of land made by Congress, to its benefits for its endowment.

The seventh, the Legislature may provide that grain grown in the state and held therein in elevators, warehouses and granaries may be taxed at a fixed rate.

The eighth, the investment of the moneys of the permanent school fund in first mortgages on farm lands within the state.

The ninth fixes the minimum prices of state lands and the conditions of sale, one-fifth of price in cash, one-fifth in five years, one-fifth in ten years, one-fifth in fifteen years, and one-fifth in twenty years, interest not less than 6 per cent payable annually in advance.

The tenth increases the Supreme Court from three to five members.

The eleventh reduces the rate of interest to be paid by purchasers of school lands from 6 per cent to 5 per cent.

The twelfth establishes a state normal school at Minot.

The thirteenth reduces the rate of interest to be paid by purchasers of state lands from 6 per cent to 5 per cent and permits the acquirement of such lands through the exercise of the right of eminent domain, by railroads, for townsite and other enumerated public purposes.

The fourteenth authorizes and empowers the Legislature by law to erect, purchase, or lease and operate one or more terminal elevators in the states of Minnesota and Wisconsin, or both.

The fifteenth providing for the initiative and referendum as to legislation.

The sixteenth providing for the initiative as to the constitution.

The seventeenth, to change the name of the state blind asylum.

The eighteenth, state aid to the building of public highways.

The nineteenth, terminal grain elevators within the state.

The twentieth, to permit the classification of property for the purpose of taxation.

PERSONNEL OF THE MEMBERS

Of the members of the Constitutional Convention several were advanced to high public positions, as follows:

United States Senators.—Martin N. Johnson, William E. Purcell.
Members of Congress.—Burleigh F. Spalding and Martin N. Johnson.
United States District Judge.—John E. Carland.
Governor.—Roger Allin, Fred B. Fancher.
Lieutenant-Governor.—David Bartlett, Elmer D. Wallace.
United States Surveyor-General.—Erastus A. Williams.
United States Assistant Attorney-General.—Reuben N. Stevens.
United States Attorney.—John F. Selby, Edgar W. Camp.
Assistant United States Attorney.—James F. O'Brien and William H. Rowe.
Judge Supreme Court.—Burleigh F. Spalding.
State Auditor.—Herbert L. Howes.
Insurance Commissioner.—Fred B. Fancher.
State Treasurer.—Knud J. Nowland.
District Judge.—William J. Lander and Samuel H. Moer, the latter at Duluth.

Superintendent of Public Instruction.—Wm. J. Clapp.

Railroad Commissioner.—Andrew J. Slotten.

Compilation Commission.—Robt. M. Pollock.

State Senators.—Andrew J. Slotten, John McBride, Charles V. Brown, Arne P. Haugen, George H. Fay, James H. Bell, Patrick McHugh, Virgil B. Noble, Andrew Sandager, John F. Selby, A. F. Appleton, William E. Purcell.

Representatives.—Erastus A. Williams and R. M. Pollock.

Speaker of the House.—Reuben N. Stevens, Edward H. Lohnes, Robert B. Richardson, A. W. Hoyt, James A. Donnelly, Henry W. Peterson, Charles V. Brown, Albert F. Appleton.

THE PRESIDENT'S PROCLAMATION

TWO NEW STATES

THE PRESIDENT'S PROCLAMATION ADMITTING THE TWIN DAKOTAS INTO THE UNION

The following dispatch was sent from the Executive Mansion at 4 o'clock Saturday afternoon by Secretary Blaine:

To Governors Mellette and Miller, of North and South Dakota, Bismarck, North Dakota:

The last act in the admission of the two Dakotas as States in the Union was completed this afternoon at the Executive Mansion at 3 o'clock and 40 minutes, by the President signing at that moment the proclamation required by the law for the admission of the two States. The article on prohibition, submitted separately in each State, was adopted in both. The article providing for minority representation in South Dakota was rejected by the people. This is the first instance in the history of the National Government of twin States, North and South Dakota, entering the Union at the same moment.

JAMES G. BLAINE.

The following is the text of the proclamation admitting North Dakota:

By the President of the United States of America:

A PROCLAMATION

Whereas, the Congress of the United States did, by an act approved on the 22d day of February, 1889, provide that the inhabitants of the Territory of Dakota might, upon the conditions prescribed in said act, become the states of North Dakota and South Dakota;

And whereas, it was provided by said act that the area comprising the Territory of Dakota, should, for the purposes of the act, be divided on the line of the seventh standard parallel, produced due West to the western boundary of said Territory, and that the delegates elected as therein provided to the constitutional convention in districts north of said parallel should assemble in convention at the time prescribed in the act at the city of Bismarck;

And whereas, it was provided by the said act that the delegates elected as aforesaid should, after they had met and organized, declare on behalf of the people of North Dakota that they adopt the Constitution of the United States, whereupon the said convention should be authorized to form a constitution and State government for the proposed State of North Dakota;

And whereas, it was provided by said act that the constitution so adopted should be republican in form and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the Constitution of the United States and the Declaration of Independence, and that the convention should, by an ordinance irrevocable, without the consent of the United States and the people of said States, make certain provisions prescribed in said act;

And whereas, it was provided by said act that the Constitutions of North Dakota and South Dakota should respectively incorporate an agreement, to be reached in accordance with the provisions of the act, for an equitable division of all property belonging to the

Territory of Dakota, the disposition of all public records, and also for the apportionment of the debts and liabilities of said Territory, and that each of said States should obligate itself to pay its proportion of such debts and liabilities the same as if they had been created by such States respectively;

And whereas, it was provided by said act that the constitution thus formed for the people of North Dakota should, by an ordinance of the convention forming the same, be submitted to the people of North Dakota at an election to be held therein on the first Tuesday in October, 1889, for ratification or rejection by the qualified voters of said proposed State, and that the returns of said election should be made to the Secretary of the Territory of Dakota, who with the Governor and Chief Justice thereof, or any two of them, should canvass the same; and if a majority of the legal votes cast should be for the constitution, the Governor should certify the result to the President of the United States, together with a statement of the votes cast thereon and upon separate articles or propositions and a copy of said constitution, articles, propositions and ordinances;

And whereas it has been certified to me by the Governor of the Territory of Dakota that within the time prescribed by said act of Congress a constitution for the proposed State of North Dakota has been adopted and the same ratified by a majority of the qualified voters of said proposed State in accordance with the conditions prescribed in said act;

And whereas, it is also certified to me by the said governor that at the same time that the body of said constitution was submitted to a vote of the people a separate article, numbered 20 and entitled "Prohibition," was also submitted, and received a majority of all the votes cast for and against said article, as well as a majority of all the votes cast for and against the constitution, and was adopted;

And whereas, a duly authenticated copy of said constitution, article, ordinances, and propositions, as required by said act, has been received by me;

Now, therefore, I, Benjamin Harrison, President of the United States of America, do, in accordance with the provisions of the act of Congress aforesaid, declare and proclaim the fact that the conditions imposed by Congress on the State of North Dakota to entitle that State to admission to the Union have been ratified and accepted, and that the admission of the said State into the Union is now complete.

In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this 2d day of November, in the year of our Lord one thousand eight hundred and eighty-nine, and of the independence of the United States of America the one hundred and fourteenth.

[SEAL.] BENJAMIN HARRISON.

By the President.

JAMES G. BLAINE,
Secretary of State.

The proclamation admitting South Dakota is of the same general purport.

MARCH OF CIVILIZATION

The picture at the close of this chapter represents an incident of the opening of the Constitutional Convention of North Dakota, at Bismarck, July 4th, 1889.

A similar incident occurred at the laying of the cornerstone of the territorial capitol, September 8th, 1883.

This story is best told in the language of Major McLaughlin, Indian inspector, in the following letter:

DEPARTMENT OF THE INTERIOR, WASHINGTON, July 12, 1917.

COL. C. A. LOUNSBERRY,
Washington, D. C.

My dear Colonel:

Referring to our recent conversation regarding two important public ceremonies held at Bismarck, N. D., in which a large number of the Indians of the Standing Rock Reservation participated, I submit the following, which I recall quite distinctly:

JAMES McLAUGHLIN
Inspector, U. S. Indian Office

YELLOWSTONE KELLY
(Luther Sage Kelly, 1873)

1.

At the laying of the cornerstone for the capitol at Bismarck in the early part of September, 1883 (I am under the impression it was September 8th, but it may have been a day or two later), to which ceremony I was invited by the Governor and the Mayor of the City of Bismarck to bring a delegation of the Standing Rock Indians, I had about three hundred of the principal Indians of the reservation accompany me on that occasion.

We reached Mandan about 2 P. M. where we left our teams and saddle horses, and waited until about six o'clock for a special train, which was sent over to take the Indians across the Missouri River to Bismarck.

About the time of our arrival in Mandan, Rufus Hatch's Pullman train from the Yellowstone Park had reached Mandan, and remained at the depot during our stay there, which was about four hours. Upon Mr. Hatch's train there were a great many English noblemen, French counts and German barons, etc., and Sitting Bull did a flourishing business, during the time the train remained there, writing autographs for those people at $1.50 each.

Upon our arrival in Bismarck, the committee which had been assigned to look after the Indians, met us at the depot, and directed us to the place which had been selected for the camp, and had secured a room in the Sheridan House for Sitting Bull and his family. There were five sections of the Northern Pacific Pullman cars which arrived at Bismarck that evening, the sections coming into the depot one half an hour apart, upon which train was Henry Villard, then president of the Northern Pacific Railroad Company, accompanied by his wife, Gen. U. S. Grant and his wife, Secretary Teller, ex-Secretary Schurz, Mayor Carter Harrison, of Chicago, and Mayor O'Brian, of St. Paul; together with many other prominent men from Philadelphia, New York, Boston, and European countries, who were on a tour to be present at the driving of the Golden Spike not far from Missoula, Mont., being about midway on the said railroad, between Lake Superior and the Pacific Ocean, the driving of which spike announced the completion of the line from Lake Superior to the coast.

You doubtless remember, that a number of those visitors made talks from the tower which had been erected on the capital site for that purpose; among whom were President Villard, President Grant, Carter Harrison and Sitting Bull.

You also doubtless remember, that a band stand was erected on the main street in Bismarck, directly north of the Northern Pacific depot, which was subsequently used for some years as an exhibit of products of North Dakota. I took Sitting Bull and his wife, together with his nephew, One Bull, into same, where General Grant and his wife, together with President Villard and his wife, came to meet and shake hands with Sitting Bull and his family. I acted as interpreter for the Indians on that occasion. During that day, Sitting Bull's time was occupied almost constantly in writing his name and selling the autographs for $1.50 each, which autographs, together with those he had sold on the previous day to the Rufus Hatch party, approximated $150.00, which he had realized from his signature. He would not sign his name for any person on that occasion without receiving $1.50 for each autograph. I, however, succeeded in having him write his name on a piece of paper for General Grant, President Villard, Secretary Teller, and ex-Secretary Schurz. The trip from Mandan to Bismarck, on this occasion, was the first time Sitting Bull had ever been on a railroad train, and, in fact, very few of the Indians of the party had ever seen a railroad train before, and the large gathering of strangers in Bismarck on that occasion, together with the cordial reception and hospitality of the people of Bismarck to the Indians, made a favorable impression upon them and, I am quite convinced, aided greatly in their subsequent amiability and efforts to meet the wishes of the Government.

2.

The picture I received in your letter of the 10th instant, was taken by D. F. Barry, photographer at Bismarck, on July 4, 1889. When I again, at the request of officials of North Dakota, and of the City of Bismarck in particular, took a party of Indians—men, women and children, about five hundred in number—to be present upon the occasion of the convening of the constitutional convention for the State of North Dakota, the members of the said constitutional convention being escorted by these 500 Indians of the Standing Rock Reservation, two troops of cavalry and two companies of infantry from Fort Yates, and two companies of infantry with a section of battery from Fort Lincoln, together with certain militia companies from different parts of the state.

I had prepared the Indian part of this procession with a view to its historical aspect, by having the Indian section in five platoons; the first platoon being composed of but three Indians, namely: Bearded Chin, as chief of the lower Yanktonai Sioux of the Cannonball District, who was dressed up to represent "Brother Jonathan," Black Bull, a prominent Indian soldier of Chief Two Bears band of Yanktonai, carrying the United States flag, and an Indian named Red Horse, carrying a banner on which were the words, "March of Civilization." These three men were about ten yards in advance of the next platoon, whose banner was, "Dakota as a Territory," which platoon was comprised of the Indians, both men and women, in full Indian costume, behind which they had ponies and dogs hitched to travois, led by women and children as though marching on the plains. Following this platoon at about a distance of ten yards came the next platoon, which was composed of a section of thirty U. S. Indian police in new uniforms, and upon their banner, which was carried alongside of the U. S. flag, were the words, "Law and Order." About ten yards behind this third section, came the judges of the Indian police court, namely: John Grass, Chief Gall and Chief Mad Bear. Upon their banner was the scale and weights and the word "Justice." About ten yards behind this section came about two hundred Indians, chiefly young and middle-aged men and women, all of the men being dressed in new hats and linen dusters, and the women dressed entirely in white, women's style, and as the day was exceedingly warm many of them carried umbrellas. Their banner, which they carried alongside of the U. S. flag in the front column, held the words, "State of North Dakota, 1889."

Sitting Bull appeared in the column of the Indians representing "Dakota as a Territory." He was on foot and marched in the front rank of the column near the middle.

Every want of the Indians was fully supplied by the committee who had charge of looking after the welfare of the Indians, and that day is frequently spoken of yet among the Indians of the Standing Rock Reservation.

It was unfortunate that some accident occurred to Photographer Barry which prevented him from taking the picture that he desired, and the picture you have, shows the Indians as they were coming from the south side of the railroad track, where they were encamped, to the main road, to take their places in the procession, and does not do the occasion full justice, but as you saw the parade yourself, you can supply much that is lacking in the picture.

Sincerely yours, James McLaughlin.

PERSONAL CHARACTERISTICS

Sitting Bull

Sitting Bull was the son of Four Horns, a sub chief of the Unckapapa Teton division of the Sioux, born on Grand River, South Dakota, in 1834. As a boy he was known as Jumping Badger and counted his first *coup* on a fallen enemy when fourteen years of age, having accompanied his father on the warpath against the Crows, and then took the name of his father, changed to Sitting Bull in 1857. He gained prominence as a warrior by a raid on Fort Buford in 1866, and thereafter made constant war on the frontier posts or on the Crows or Shoshones,

Photo by D. F. Barry

MARCH OF CIVILIZATION

Sitting Bull, preceded by Black Bull carrying the United States flag, at Bismarck, July 4th, 1889, at the assembling of the Constitutional Convention.

horse-stealing being the principal object in his warfare. Refusing to go upon a reservation, he gathered about himself the turbulent spirits of every tribe, whom he was content to allow to do the fighting in the battle of Little Big Horn, while he "made medicine" in the hills.

After the battle the Indians divided into two parts. Sitting Bull's command was attacked by General Miles, but Sitting Bull, with most of his faction, escaped to Canada, where he was taught by Major Walsh of the Mounted Police to write his name, and where he was finally induced to come into Fort Buford and surrender in 1881, and was thereafter held at Fort Randall, until 1883, when he came under the jurisdiction of Major McLaughlin.

Sitting Bull's price for signing his name was $1, but regarding the people on the Villard expedition able to pay the higher price, he charged them $1.50, and it was difficult to even get the three signatures mentioned by Major McLaughlin without the price.

The author of this work accompanied Sitting Bull's party to Standing Rock on the occasion of his surrender in 1881, and his autograph, which appears at the head of this sketch, was procured for his daughter from Sitting Bull on that occasion; the author, also, was at Bismarck on the two occasions mentioned by Major McLaughlin. To Alexander McKenzie credit is due for the inception of the plan for the two celebrations so admirably carried out by Major McLaughlin.

CHAPTER XXVI

THE STATE

"What constitutes a state?
Not high raised battlements, or labored mound,
Thick wall, or moated gate;
Not cities proud, with spires and turrets crowned—
Not bays and broad-armed ports.
Where, laughing at the storm, proud navies ride;
Not starred and spangled courts—
Where low-browed baseness wafts perfume to pride.
No!—*men*—high-minded *men*—
Men who their duties know,
But know their rights, and knowing dare maintain."
—Sir William Jones, 1745-1794

North Dakota entered statehood with a bonded indebtedness of $539,807, some money in the treasury, $57,513, a capitol building costing some $200,000 and 600 city lots to sell.

South Dakota entered statehood with a bonded indebtedness of $750,000, a deficiency in her treasury of about $150,000, with no capitol building.

EXECUTIVE DEPARTMENT

The executive power of the state is devoted to and administered by commissions and boards. The constitution provides for two, the Board of Equalization and the Board of Pardons. The governor is a member of both. The most important commission and boards are the Taxation Commission, Board of Control, and Board of Regents. The members of the commissions and boards are appointed by the governor, by and with the consent of the Senate. Their tenure of office is usually for two, four or six years, and while as a rule they consult the governor and enforce his policies in administering the affairs of their office, they frequently act on independent lines, to the serious political embarrassment and injury of the governor, as the people hold the governor responsible and not the commission and boards, for their mistakes of administration.

ADMINISTRATION OF JOHN MILLER

John Miller was the first governor of the state. As such governor, on November 4, 1889, two days after the admission of the state to the Union, he issued his proclamation calling the Legislative Assembly to meet at Bismarck, on Tuesday, November 19, 1889, for the purpose of electing two United States senators, and

The Wild Rose

Five petals of a pale, pink tint
  Are round its heart of gold,
And hither, thither, without stint,
  It scatters o'er the world.

A touch of color, faint and fine
  The artist at his best.
Beneath a careless, swift design,
  Supreme and self-confessed.

This flower that runs across the hill
  With such unconscious grace,
That seeks some wilderness to fill
  And make a heavenly place;
This masterpiece for common folk,
  Lit with the artist's joy,
Let no unthinking, wanton stroke,
  No ruthless hand, destroy.
—Marion Lisle.

for the performance of such other legislative duties as might be in accordance with the constitution. The Legislature assembled, which convened November 19th, determined that the Federal law for the election of United States senators which prescribed that the Legislature should on the second Tuesday after its meeting and organization proceed to ballot for United States senators, each branch thereof to vote separately, was superseded by the Omnibus Bill, which conferred the power and made it the duty of the Legislative Assembly forthwith at its meeting and organization to ballot for United States senators. Accordingly, on November 20, 1889, the houses balloted separately, casting ballots for Gilbert A. Pierce, N. G. Ordway, Lyman R. Casey, republicans, and M. L. McCormick, democrat. The House was composed of sixty-two members, thirty-two being a majority. The Senate of thirty-one members, sixteen constituting a majority. Both houses met in joint session on Wednesday, the 21st day of November, as by law provided, and compared the journals of the respective houses, as to the number of votes cast for any person for United States senator, and it appearing from such comparison that Gilbert A. Pierce had received a majority vote in the Senate and House, he was by the joint assembly declared a duly elected United States senator.

It further appearing from a comparison of the journals that no one person had received a majority in each House for the second senator to be elected, the joint assembly took one ballot for United States senator, the law providing in that event that such assembly should meet at 12 o'clock M. and take at least one ballot each day until some one person received a majority vote of the joint assembly, and was thereby chosen senator. The joint assembly was composed of ninety-three, all the membership of the Senate and House, and forty-seven was a majority. The joint assembly met on several different days and took in all ten joint ballots. On the ninth joint ballot occurred an incident which is worthy of special mention, because conflicting versions of what actually took place on the ninth ballot were published by the press at the time.

The chief clerk of the House had been appointed by Lieutenant-Governor Dickey, the presiding officer of the joint assembly, as clerk of the joint sessions, and also appointed two tally clerks, one from the Senate force of clerks, the other from the House. The roll of the Senate was first called by the clerk, and then the roll of the House. The tally clerks recorded the votes as announced by the members. Upon the completion of the roll call it appeared that the tally clerks disagreed as to the number of votes cast for M. N. Johnson, N. G. Ordway, and Lyman R. Casey. A verification of the vote was demanded. On the recall of the roll for verification purposes only, H. D. Court, an elderly member of the House, who had constantly voted for Ordway, attempted to change his vote from Ordway to M. N. Johnson. The right so to do was challenged by a number of the members. A motion to adjourn was interposed and before the announcement of the rolls of the ninth ballot the joint assembly dissolved. It was claimed that Johnson received a sufficient number of votes on this ninth ballot to elect him, if Court's vote on verification had been counted, but the records of the joint assembly which were approved by the assembly itself and published in the House Journal, do not support this claim. In fact, showed otherwise. It appears from them that he received 35 votes, while 47 were necessary to a choice. The names of these 35 appear in the journal and no other member of the joint assembly ever claimed that he had voted for Johnson on the ninth ballot. The highest vote Johnson received on any ballot was 42 on the second ballot, the lowest 28 on the sixth ballot. On the eighth ballot he received only 33.

FIRST LEGISLATURE 120 DAYS

The constitution provided that the first Legislative Assembly could sit for 120 days, while the life of all other sessions was limited to sixty days. Governor Miller in his first message suggested in a general way the imperative need of laws to put in force the various articles and the schedules of the constitution, particularly the article on prohibition, which prescribed "That the Legislative Assembly shall by law prescribe regulations for the enforcement of this article and shall thereby provide suitable penalties for the violation thereof." Complying with the suggestions of Governor Miller, the Legislature enacted laws for

1. The organization and formation of state banks.
2. For the board of university and school lands.
3. Leasing and sale of school lands.
4. A state board of agriculture.
5. A uniform system of free public schools.
6. A joint commission to effect a final adjustment between the states of North and South Dakota.
7. A commission to supervise the surveying and marking the boundary line between North and South Dakota.
8. The prohibition law.
9. Assessment of railroad property.

All of which laws were approved by the governor.

On its own volition the Legislative Assembly enacted laws,

1. To establish, locate and maintain an agricultural college at Fargo.
2. An academy of science at Wahpeton.
3. A soldiers' home at Lisbon.
4. Deaf and dumb asylum at Devils Lake.
5. A normal school at Valley City.
6. A normal school at Mayville.
7. Regulating practice of medicine.
8. Abolishing the grand jury system and instituting informations by states attorneys instead of indictments.

The governor approved all these laws, excepting as to the normal school at Mayville, which he vetoed. The Legislature, however, passed it over his veto.

LOTTERY

It attempted to pass a law whereby the Louisiana Lottery scheme which had been denied an extension of its charter by Louisiana could be established and perpetuated in North Dakota. Geo. H. Spencer, formerly a United States senator from Alabama, came to Bismarck and secured the introduction of a bill for that purpose in the Senate. It is known in the records as Senate Bill No. 167. It passed that body by more than a two-thirds vote.

Governor Miller then marshalled the force opposed to the lottery scheme and organized and conducted a vigorous and successful fight among the House members to prevent its passage in the House, or securing a two-thirds vote. He raised funds to circulate petitions remonstrating against the passage of the law, employed detectives to secure evidence of suspected bribery and corruption, inspired the publication of articles in the press opposing the lottery scheme, secured protests and letters from prominent business men and bankers of St. Paul, Minneapolis, Chicago and New York, all of which petitions, protests and letters were presented to the House and appear in its journal, and commanded representative men of all professions and classes in the state, who hastened to Bismarck and aided him in his efforts to defeat the bill. On its votes taken on the question of its reading and on motions to postpone its consideration, or resubmit it for amendment, the measure commanded only thirty-nine votes in the House, less than two-thirds vote of all the members elected.

The Congress of the United States enacted a law prohibiting the carriage of lottery tickets by corporations engaged in the transportation of interstate commodities, and lottery and gift enterprise tickets were denied the use of the United States mails. The lottery advocates thus seeing their "occupation gone," as no lottery scheme could be worked to any advantage in the United States, abandoned the fight and on February 10th the House agreed to indefinite postponement of Senate Bill No. 167, and thus the lottery scheme went to its death.

Governor Miller's administration of state affairs was satisfactory to the people. They admired him as a man, believed in his policies and regretted his refusal to be a candidate for a second term. Upon the expiration of his term he moved to Duluth, Minn., where he engaged in a grain brokerage business and died there, October 26, 1908.

ADMINISTRATION OF ANDREW H. BURKE

Andrew H. Burke, a banker of Cass County, who was the successor of Miller, served as governor from January, 1890, to January, 1892. The leading feature of his administration were laws enacted by the Legislature for a military code authorizing the issuance of state bonds in the sum of $150,000 to pay North Dakota's share of the indebtedness of the Territory of Dakota, a general election law, a law to promote irrigation, and a law empowering the governor to appoint a commission to compile the laws. This commission discovered in searching the statutes, that there was no law for the election of presidential electors; its absence debarring the people from voting for the President, or for a state canvassing board to canvass the vote cast for Congress, presidential electors, state, legislative or judicial officers. The commission reported this fact to the governor in May, 1891, who called a special session of the Legislature to convene at Bismarck on June 1, 1891.

In the meantime, the commission prepared bills to remedy the defects, and Governor Burke submitted them to the Legislature, which enacted them and the state voted for electors the first time in 1892, when Grover Cleveland was elected to the presidency. Governor Burke vetoed a bill favored by the farmers' alliance, which compelled railroads to lease sites on their right of way for the building of elevators and warehouses, for the storage of grain, on terms and conditions obnoxious to the railroads.

The governor considered the bill unconstitutional. The farmers' alliance resented his action and joining forces with the democrats formed a fusion party and although Burke had been nominated by the dominant republican party for a second term, defeated him at the polls. Like his predecessor, John Miller, he left the state and engaged in the grain business at Duluth, Minn., but was unsuccessful. When he was appointed through the influence of Senator Nelson, of Minnesota, an inspector of United States land offices, he moved with his family to Washington, D. C., but toward the close of McKinley's first administration moved to the State of Colorado, and later to New Mexico.

THE SHORTRIDGE ADMINISTRATION

The farmers' alliance, the populists and the democrats of the state fused and elected Eli C. D. Shortridge, of Grand Forks County, as the successor of Burke. As forty-nine days of the session of the Legislature which convened during his regime as governor were consumed in the election of a United States senator, there was little time for law making, and outside of appropriations for the maintenance of the public institutions of the state the principal laws enacted and approved by the governor, were a law authorizing the issuance of $50,000 of bonds to construct the south wing of the capitol building. The governor was chairman of the building committee and constructed this wing in 1894; a law creating a commission to revise and codify the laws; a general drainage law; the purchase of an executive mansion; and an appropriation for a state elevator at Duluth, Minn. This was a pet measure of his administration, and was earnestly supported by Governor Shortridge; a constitutional amendment prohibiting lottery and gift enterprises was passed by the Legislature and referred to the next succeeding Legislature to be, if approved by it, submitted to a vote of the people.

Governor Shortridge as chairman of the State Auditing Board, refused to audit or direct the payment of the accounts of the compilation commission, which had been appointed by Governor Burke, and had completed its labors, and made final report of its doings to the Legislature. This commission brought an action in the nature of mandamus in the District Court of Grand Forks County, before Chas. F. Templeton, judge, who granted an order directing him as chairman of the State Auditing Board to audit the accounts, and the state auditor to issue his warrants in payment thereof, or show cause why they should not so do. Upon the hearing of this order, the state was represented by William H. Standish, its attorney-general; John G. Hamilton, chairman of the commission, appeared for it. After taking testimony and listening to argument by the respective counsel, Judge Templeton granted a peremptory writ of mandamus which ordered the governor to audit the accounts, the auditor to issue his warrants upon the state treasurer, for the amount of the same, and the state treasurer to pay them. No appeal to the Supreme Court was taken from this writ and the governor approved the accounts, the state auditor issued his warrants therefor, and they were paid by the treasurer.

The balloting for United States senator began on January 18th, the leading candidates were Lyman R. Casey, a republican, and John D. Benton and William

ELI C. D. SHORTRIDGE
Governor of North Dakota, 1893-4

N. Roach, democrats, though many other persons received complimentary votes. The republicans who had a nominal majority of the Legislature, held a caucus and agreed upon Mr. Casey as their candidate, but through some invisible influence, twelve republicans refused to enter the caucus, or be bound by its action. On the sixty-first ballot taken on the forty-ninth day, six republicans from Grand Forks County, together with other republicans from Burleigh, Cass, Pembina and Walsh counties, voted for the democratic candidate, William N. Roach, who received fifty votes, and was declared elected senator.

Alexander McKenzie, who was the principal manager of Casey's campaign, characterized the political apostasy of the republicans who voted for Roach, by saying: "I bow to the Benedict Arnolds and traitors of North Dakota."

When Governor Shortridge retired from his office, he was deeply involved financially. He was appointed clerk of the United States Land Office at Devils Lake, to which city he moved and where he died, February 4, 1908.

GOVERNOR SHORTRIDGE

Eli C. D. Shortridge was born in Cabell county, West Virginia, March 29, 1830. When he was three years of age, his parents settled in Monroe county, Missouri. He was educated in the district schools of the neighborhood and later at an academy at Paris, Mo. In 1860 he was married to Virginia Brady of Hannibal, Mo. The first Mrs. Shortridge passed away in 1880. In 1882 he was married to Miss Anna Burton of Moberly, Mo., at which time he moved his family to North Dakota, taking up his residence at Larimore, Grand Forks county. He later owned a large farm eight miles north of Larimore, where he resided when elected governor in 1892 on the fusion ticket of democrats and populists, serving one term. He was closely identified with the early struggles of the pioneers of North Dakota, and was deeply loyal to the state and all its interests to the day of his death. His last active part in politics was the nominating of John Burke for the office of governor at a state convention of democrats at Minot; Burke served three consecutive terms, and was in office at time of ex-Governor Shortridge's death, February 4, 1908.

Mrs. Shortridge and five children survive the ex-governor; three by his first marriage, Charles G. Shortridge of Thunder Hawk, S. D., and Miss Lila V. Shortridge and Mrs. D. A. Stewart of Spokane, Wash. And the twin daughters by his last: Juliette—Mrs. Orville C. Duell of New Rockford, N. D.— and Frances—Mrs. N. C. Barrett of Church's Ferry, N. D.

Governor Shortridge was a true man, a loyal citizen, a faithful executive, conscientious and competent.

THE ROGER ALLIN ADMINISTRATION

Roger Allin, a republican and farmer of Walsh County, succeeded Shortridge. No legislation of special import was submitted to him for approval, except the garnishment laws, laws for the protection of dairy products, establishing a fish hatchery providing for a geological survey of the state, and creating a historical commission, and the general appropriations for the support and maintenance of the public institutions of the state. The Legislative Assembly of the Shortridge administration in anticipation that the state would have sufficient revenue from taxes to meet the same, had made large appropriations for all state purposes. The panic of 1893 caused a depression of business throughout the nation, crops were poor in the state, and the prices obtained for farm products low, and as a consequence the people were unable to pay their taxes, and a heavy indebtedness incurred by virtue of the appropriations of the Shortridge administration existed at its close.

The Allin administration inherited it. The Legislative Assembly overlooked this fact, and made appropriations of the public money in excess of the current revenue from taxes, with the intent, as Governor Allin believed and so expressed himself at the time, to discredit his administration. When the appropriations bills reached him, he, reasoning from his experience in careful and successful management of his own affairs, felt that he was rebuking the tendency to excessive appropriations, and was leading up to rigid economy, which was the watchword of his administration, availed himself of the constitutional provision, which empowered the governor to veto separate items of the appropriation bill, and vetoed the items for the maintenance of the university, and the normal schools at Valley City and Mayville, reducing the appropriations for Valley City and Mayville from $24,000 and $24,860 to $4,600 and $7,760 respectively; the university from $63,000 to $15,980, or merely enough to complete the current college year. The agricultural college received $11,250 of the $19,000 appropriated by the Legislature.

This act was severely criticized and condemned by the people living in Grand Forks, Traill and Barnes counties, as unnecessary and a discrimination against the educational interests of the state. The people residing in the immediate vicinity of these institutions, together with others from other parts of the state, and from friends of education from other states, raised sufficient funds to maintain them for two years. Subscriptions to the amount of $24,513.90 were secured from private sources, for the maintenance of the university, $1,287.50 was contributed from outside the state. The amount contributed for the support of the normal schools of Mayville and Valley City is not a matter of record.

Receipts and in some instances certificates were issued to these contributors, the expectation being that the state would in the near future redeem them. These receipts and certificates were in no sense legal obligations of the state, but they were issued by the trustees appointed to govern these institutions and certainly are moral obligations of the state, and should be redeemed by the state. No governor of the state, however, has had, in view of the financial resources of the state, the courage to recommend their redemption, and no Legislature the courage to appropriate therefor.

The action of Governor Allin in vetoing these appropriations contributed to defeating his nomination by his party for a second term to which he aspired. He retired from public life at the end of one term as governor and continued living moderately and quietly at his home in Park River, Walsh County, as a retired farmer.

FRANK A. BRIGGS AND JOSEPH M. DEVINE ADMINISTRATION

Frank A. Briggs of Mandan, a republican, was the successor of Governor Allin. He had filled with conspicuous ability the office of state auditor, and understood the financial resources of the state, and was well equipped to administer its affairs, but unfortunately he died of tuberculosis in July, 1898, and Joseph M. Devine, by virtue of his office as lieutenant-governor, filled the unexpired term.

During the life time of Governor Briggs, the Legislative Assembly passed and he approved a general railway law regulating the transportation of passengers and freight, and a general revenue law, many of its provisions having been suggested by the governor. The system of taxation prescribed in this law has stood since as the law of the state with but little change. One section was held unconstitutional by the Supreme Court.

THE FANCHER ADMINISTRATION

Frederick B. Fancher, of Jamestown, a republican, who had been president of the constitutional convention and served the state with rare fidelity as insurance commissioner, for four years, was inaugurated governor in January, 1899. The most notable event of his administration was the establishment of a twine and cordage plant in the penitentiary. He was renominated by his party for governor, but by reason of ill health declined the honor. He moved to Sacramento, Cal., in 1900, and there engaged in mercantile pursuits.

ADMINISTRATION OF FRANK WHITE

When Governor Fancher declined a renomination by his party, the Republican State Committee substituted Frank White of Valley City for the place. Mr. White had made a reputation as a soldier in the Philippines, where he served as a major in the First North Dakota. He had proved himself "in stern fight a warrior grim, in camp a leader sage." He was not only a courageous and efficient soldier, but an experienced legislator. He had a good grasp of civil affairs. He was elected in November, 1900, inaugurated in January, 1901, and served as governor until January, 1905.

During his administration the Legislature passed and he approved laws establishing an electric railway line from the capitol building to the penitentiary, to be owned and operated by the state, and establishing an institution for the feeble minded at Grafton.

The north wing of the capitol building was constructed during his administration, and funds for the same were provided by the issuance of $100,000 of bonds secured by the lands granted by the National Government to the state for the erection of a capitol building and other public buildings at the seat of government. The necessity for additional buildings and equipment for the public institutions of the state was imperative, and the financial resources of the state were insufficient to meet them. The state could not issue bonds for the purpose, as its debt limit of $200,000 was reached, and the scheme was devised for the issuance of bonds to be known as institution bonds. The payment of the interest and principal thereof to be secured by the pledge of the lands allotted to each institution from the grant of 500,000 acres of land by the United States. By various acts of the Legislature, the normal school, the university and school of mines, the agricultural college, the hospital for the insane, and the blind asylum, the deaf and dumb asylum, and the industrial school, were authorized to issue bonds which aggregated a total of $581,000.

The bonds of the normal school at Valley City in the sum of $60,000, for the erection of necessary buildings, were issued. They were to run for twenty years, with annual interest at 4 per cent, and were sold to the Board of University and School Lands at par. The warrant of the Board of University and School Lands was drawn on the funds in the custody of Daniel H. McMillan, state treasurer, who refused to honor the same. The Board of University and School Lands then sued out a writ of mandamus in the Supreme Court to compel the state treasurer to pay the warrant, and place the bonds to the credit of the Board of University and School Lands, or show cause why he should not do the same.

In this action the Board of University and School Lands were represented by C. N. Frich, the attorney-general of the state, and Guy C. H. Corliss, of Grand Forks. Newman, Spalding & Stambaugh, of Fargo, appeared for the state treasurer. The court denied the writ. It held that the state constitution restricted the board in investing funds for the permanent school fund to four classes of securities, among which is "bonds of the State of North Dakota." And bonds of the State of North Dakota included only such bonds as are valid and constitutional within the constitutional debt limit and so certified by the state auditor and secretary of state, the payment of which is provided for by an irrepealable tax levy in the act which authorized their issuance. That the act which authorized the issuance of $60,000 in bonds to procure funds to erect and equip buildings of the State Normal School at Valley City, and appropriating a sufficient portion of the interest and income dedicated to the support of that institution to repay the principal and pay the interest on the sum so borrowed is unconstitutional and void, as it authorized the creation of a state debt in excess of the state debt limit and violates, therefore, the state constitution.

2. It authorizes the creation of a state debt and does not provide for a tax levy to pay the principal and interest as required by the constitution.

3. It diverts the interest and income dedicated to the support of this institution to the payment of a state debt in violation both of the Enabling Act, and of the state constitution.

John M. Cochrane, judge of the Supreme Court, died on the 20th day of July, 1904, and the governor appointed Edward Engerud, of Fargo, to the vacancy thus created.

The Legislature also created the Eighth Judicial District, and the governor appointed L. J. Palda, of Minot, judge of this district.

Upon the expiration of his second term, Governor White returned to his home at Valley City and engaged in the insurance business, and was appointed by Governor Hanna in 1915 as a member of the Board of Regents, which has the charge of all the educational institutions of the state.

THE SARLES ADMINISTRATION

Elmore H. Sarles, a banker of Hillsboro, Traill County, was elected to succeed Governor White in November, 1904, and was inaugurated governor in January, 1905. Governor Sarles was a sagacious, prudent and far-seeing business man, and his administration is notable for measures tending to promote the

GOVERNOR E. Y. SARLES

material interests and protect the morals and health of the state, and to improve the government of cities and municipalities of the state.

Among the laws tending to advocate and improve and promote the state's material interests, were:

1. A complete irrigation code.
2. Providing for the creation and regulation of water users' associations.
3. Regulating the manufacturing and sale of dairy products.
4. Organization of life insurance companies.
5. Organization and regulation of state banks, placing them under the supervision and control of a state banking board.
6. Regulating the operation of automobiles.
7. Providing for a state census.
8. Creating the office of inspector of weights and measures.
9. Providing for the compilation and publishing of the revised codes of 1905.

To protect the health of the people, were:

10. A pure drug law.
11. A pure food law.

To improve the government of cities and other municipalities, were:

12. A new charter for cities.
13. Establishment of park districts for cities.
14. The right of way for electric roads in cities.
15. Providing police for unorganized towns.
16. To preserve the purity of election, our primary election law.

The Legislative Assembly of 1905 enacted a law also for the reconstruction of the capitol building and the erection of a suitable residence for the governor, on lots owned by the state, by a board of capitol commissioners, appointed by the governor, by and with the consent of the Senate.

Governor Sarles appointed as such commission William Budge, of Grand Forks; Dan J. Laxdahl, of Cavalier, and Andrew Sandager, of Lisbon; who were promptly confirmed by the Senate. They gave the bonds required by the statute and organized by the selection of William Budge as chairman and Thomas Shaw of Pembina as secretary. The board was required by the statute to utilize in the plans and specifications for the capitol building the newly constructed north wing, and so much of the other portions of the capitol building as in their opinion could be used to advantage with regard to appearance and serviceableness of the building, and to sell such material in the present state capitol building as they deemed to be unavailable for use in the building and pay the proceeds thereof to the state treasurer to be credited by him to the capitol building fund.

APPROPRIATIONS

The Legislature appropriated for building capitol and executive mansion the sum of $600,000. To obtain this sum the Board of University and School Lands were by this same statute directed to sell sufficient lands belonging to the state and granted for the purpose of erecting public buildings and capitol building, by the act of Congress, known as the Enabling Act, or Omnibus Bill.

In anticipation of the receipts of proceeds from the sales of such lands, the commission was authorized to issue certificates of indebtedness in a sum not exceeding six hundred thousand dollars bearing 5 per cent interest, payable annually.

The commission advertised for bids, and an application was made to the Supreme Court upon the relation of George Rusk for a writ of injunction. George A. Bangs, John A. Sorley of Grand Forks, and Burleigh F. Spalding of Fargo, represented the relator. C. N. Frich, attorney-general of the state, and Tracy R. Bangs, who had been retained by the commission to assist the attorney-general, appeared for the commission. The Supreme Court held the law unconstitutional and invalid, as an unwarranted delegation of legislative power in that the commission had unlimited discretion as to the cost of the capitol building, and the cost of the executive mansion, though by the way limited to $600,000.

No specific sum for capitol or mansion was appropriated by the Legislature and agents or officers of a state are not invested with powers of a purely governmental or legislative character, it should be noted here that this commission were de facto officers for some services, and in good faith incurred some expenses outside of the compensation allowed them by the statute. They retained Tracy R. Bangs to defend the commission law in the Supreme Court, but when the decision of the court was against them they failed to pay him for his services rendered in that capacity and the Legislature of the future, it is to be hoped, will provide the necessary funds to cover this expense.

GOVERNOR RENOMINATED

Governor Sarles was renominated by his party in convention assembled for the governorship. While as governor he had administered the fiscal affairs of the state with sagacity and fidelity, yet this was forgotten by the people and because he had appointed John Knauf, of Jamestown, to the Supreme Court to fill the vacancy caused by the resignation of Judge N. C. Young, he incurred the opposition of the lawyers of the state, who were favorable to Judge Charles J. Fisk, and this opposition, together with that of the State Enforcement League and the Woman's Christian Temperance Union and prohibition defeated him at the polls. At the expiration of his term of office he returned to Hillsboro, continued in his banking business and engaged also extensively in farming and dealing in real estate.

JOHN BURKE ADMINISTRATION

John Burke, a lawyer of Devils Lake, was elected governor in 1906, after a strenuous campaign during which he canvassed all portions of the state with such force, political skill and foresight in the formation and management of political parties as to secure the endorsement and the support of the radical progressive element in the republican party, as well as the prohibition party. This coalition stood with him throughout his gubernatorial career; as a consequence, although in political faith, he was a democrat, he was re-elected governor in a republican state and served in that capacity three consecutive terms. His administration is particularly notable for legislation to enforce the prohibition law and to advance the cause of temperance in the state. The prohibition law of 1889, was strengthened and its enforcement facilitated by laws advocated and

EX-GOVERNOR JOHN BURKE

approved by him, which authorized the seizure and confiscation of intoxicating liquors imported into the state with or without a warrant, holding the owner of a building where liquor was kept for sale and sold as a beverage liable for the unlawful use, druggists' permits were to be granted by District Courts, after hearing of the application therefor, notice of application to be published for thirty days preceding the hearing. Liquor advertising was declared unlawful. The use of liquor on passenger trains, or in state institutions was prohibited, and the giving away or distribution of liquor to be used as a beverage was declared a violation of the prohibition law. Most important of all the actions to enforce the prohibition law was the one authorizing the appointment of a temperance commission and making an appropriation of $8,000 to carry out its provisions. The commission was authorized and empowered to exercise in every part of the state all of the common law and statutory powers of the states attorneys in the enforcement of the law against the manufacture and sale of intoxicating liquor, and empowering also the appointment of deputies and special enforcement sheriffs where the local authorities failed to enforce the law. The Supreme Court of the state in "Ex Parte Corliss," reported in 16 N. D. 470, held the law unconstitutional, as it sought to displace the regularly elected states attorney and sheriff in any county so far as the enforcement of the "prohibition law" was concerned. "The framers of the constitution considered it more conducive to the public welfare to have the functions of these officers performed by the officers elected by the people, than to entrust them to officers otherwise chosen."

In the direction of political reform during his administration there was enacted a general primary election law, a corrupt practice act, and providing for the primary election of delegates to national conventions of all parties and appropriating $200 to each delegate to presidential national conventions to cover his expenses.

In the line of economy and to promote the general public welfare was the establishment of a hail insurance department in the office of the commissioner of insurance, the creation of a tax commission to supervise the assessment and collection of revenue of the state, and to discover and place on the tax roll property heretofore escaping taxation.

In the same line of economy was the creation of a board of control of the normal schools of the state, and a board of control for the management of the charitable and reformatory and penal institutions, also an anti-pass law.

A feature of Burke's administration which won him the confidence and commendation of the people, was his unremitting attention to his public duties; to his private affairs and professional practice, he gave no time. All his energies and abilities were devoted to the state. His insistence that all state officers should, during their office life, reside at the "seat of government" and personally supervise and conduct the affairs of their respective offices, instead of leaving their administration to the care of deputies while they pursued their private business at their homes, as had in many instances in past administrations been done, was also a feature that contributed largely to his popularity with the people.

During his regime as governor, Martin N. Johnson, who had been elected United States senator to succeed Henry C. Hansbrough, died, and he appointed Judge Fountain L. Thompson, of Cando, to fill the unexpired term until a meeting of the Legislature. Judge Thompson served for a few months when he resigned because of impaired health, and Governor Burke then appointed William E. Purcell, of Wahpeton, as his successor.

NON-PARTISAN APPOINTMENTS

Burke was not a partisan when it was his duty to select judges either for the Supreme Court or District Court; in filling such positions he selected lawyers of unquestioned integrity and who possessed the legal knowledge and attainments befitting a judge.

In 1907 he appointed Burleigh F. Spalding, a republican judge of the Supreme Court, as the successor of Edward Engerud, resigned.

In January, 1909, when the membership of the Supreme Court was increased from three to five, he appointed John Carmody, of Hillsboro, a democrat, and S. E. Ellsworth, of Jamestown, a republican, as judges of the Supreme Court.

In 1911, upon the death of Judge David E. Morgan, he appointed Andrew A. Bruce, dean of the University Law School, a republican, to fill the vacancy.

In 1907 Charles J. Fisk was elected to the Supreme Court, thus leaving a vacancy in the First Judicial District. To fill this vacancy he appointed Charles F. Templeton, a democrat.

Judge E. B. Goss, of the Eighth Judicial District, was elected to the Supreme bench and he appointed K. E. Leighton, a republican, to fill the vacancy.

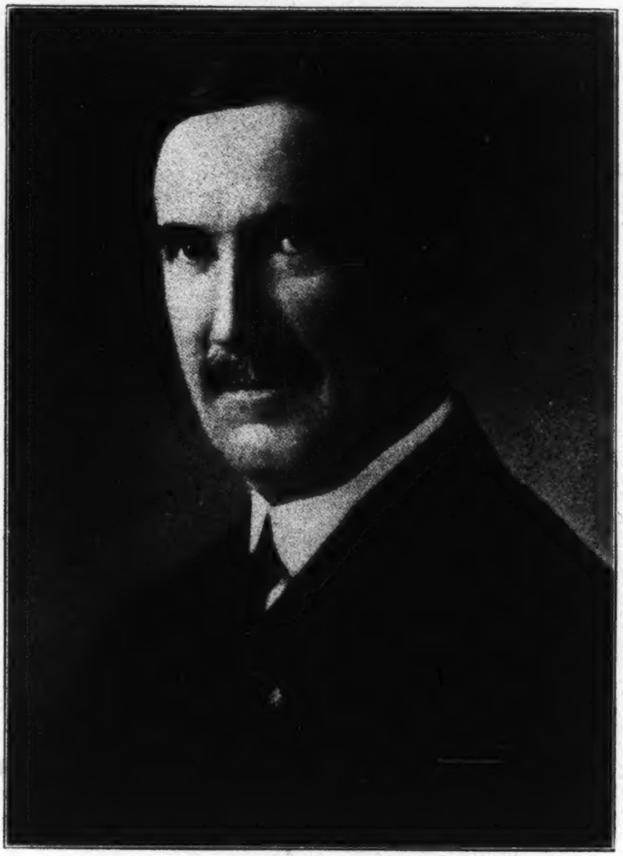
On the election of E. T. Burke to the Supreme Court, J. E. Coffey, a democrat, was appointed in the fifth district.

Upon the creation of the Eleventh Judicial District, he appointed Frank Fisk, a democrat, as the first judge thereof, and similarly upon the creation by the Legislature of the Twelfth Judicial District, he appointed S. L. Nuchols, of Mandan, a democrat, as judge of the district.

In the Baltimore convention, which nominated Woodrow Wilson for President, Burke was the choice of his party in this state for vice president, and he polled a very substantial vote in the convention for that office. Among the early official appointments of President Wilson, was his appointment of John Burke as treasurer of the United States, which office he now holds.

ADMINISTRATION OF LOUIS B. HANNA

The republican party in 1911 was in a demoralized condition, being split into factions who were fighting among themselves for political supremacy, and it was apparent that unless a leader could be found, able to compose the differences of the discordant elements and sufficiently strong with the people to secure their support at the polls, there was eminent danger of its disintegration, and a perpetuation of democratic fusion rule in the state. The thinking conservative republicans regarded Louis B. Hanna, of Fargo, as the most available man for the purpose and solicited him to become a candidate for the governorship in the primary election to be held in June. Among the reasons which induced these elements to unite on Hanna, was his record as a legislator in both branches of the Legislature, where he had shown unusual capacity in advocating measures for the betterment of the people. The fidelity with which he looked after the interests of the state in Congress also commanded the respect and confidence of



HON. LOUIS B. HANNA

all classes. "The need of the hour" was a man not only experienced in legislative procedure, but one trained in business affairs, who could extricate the state from its financial difficulties and keep it moving forward on safe and sane lines. Hanna responded to this call and became a candidate for the governorship at the primaries in June, 1912, and was nominated and elected governor in November, 1912. He resigned his seat in Congress, was inaugurated governor in January, 1913, and delivered his inaugural message to the Legislative Assembly on January 10, 1913. The message dwelt upon the educational necessities in the state, especially the need of better schools in the country districts, to keep the farmers upon their farms by providing schools that would furnish to country children the same opportunity for higher education as those enjoyed by children in cities. Efficient high grade schools should be established in the districts to equip the boys and girls for their life work as well as to relieve the state institutions from doing secondary school work. In lucid, pertinent and persuasive language, Hanna recommended the adoption of a uniform system of accounting and reporting by the state. The same system should be used in every state institution and there should be a uniformity of system in all county auditors and treasurers' offices. The state institutions should have such a system as would enable their managing officers to render a trial balance of receipts and disbursements at all times and should send such trial balance at the close of each month to the auditor of state. He expressed the hope that legislation would be enacted to warrant and empower the governor to employ a firm of expert accountants to inaugurate a uniform system of accounting throughout the state.

The Legislature responded to this recommendation. It empowered the governor to employ accountants to devise and inaugurate a system and appropriated funds to cover the expense. For the first time in the history of the state the land grant of the state was "checked up" and adjusted and every department of state was accurately audited from the beginning, and a uniform system of accounts was established in each department of the state, and in every state institution. The system is in force in many of the counties and is being extended to incorporated cities and towns. Its value can not be over-estimated, and credit must be given Mr. Hanna not only for suggesting this system, but also for putting it in force.

He suggested the desirability of a "state fire marshal" and the Legislature created the office and authorized him to appoint one.

He further recommended that some provision be made whereby commercial traveling men, railroad men, and railway mail clerks could vote when away from home, and the "absent voting" law resulted.

He suggested that the game law be amended so as to prohibit spring shooting of geese, and the establishment of a "state fish hatchery" with an appropriation of a sufficient sum from the general fund to maintain it, instead of using for that purpose a part of the "game fund." The Legislature adopted this suggestion and enacted the necessary laws.

He stated in his message that the coal imported into the state was not of the quality or standard the people paid for, and as a consequence the Legislature provided for coal inspection and the quality of coal shipped into the state has materially improved.

EXHIBITS OF PRODUCTS

The opening of the Panama Canal and the prospective advantage to the state therefrom were briefly referred to and his suggestion that the state would be benefited by an exhibition of its products, its soil and grasses, at the Panama Pacific International Exposition at San Francisco, was favorably considered and an appropriation was granted for the erection of a building to house the exhibits.

BATTLESHIP "NORTH DAKOTA"

During the administration of Governor Burke, the battleship North Dakota was launched and a fund to purchase a silver service to be presented to the ship by proposed subscription of $1 from individuals was raised. The "silver service" was ordered but the fund contributed during the Burke regime was $2,500 less than its costs. This sum Governor Hanna raised by private contributions, and he personally presented the service to the ship, May 5, 1915.

The fiftieth anniversary of the decisive battle of Gettysburg was celebrated in July, 1913, by a reunion of the survivors of the Civil war, both Union and Confederate, and he asked the Legislature "as a matter of sentiment and patriotism" to appropriate money to defray the expenses of all the old veterans in the state who could attend the reunion. The Legislature made the appropriation. Governor Hanna accompanied the soldiers from the state and participated in all the events of that great occasion. He was not a soldier himself, as he was born in 1861, but was a son of a soldier who had fought at Gettysburg. It is needless to add that no part of the legislative appropriation was used by him. He defrayed his own expenses and the old soldiers had the benefit of the state appropriation.

EXPERIMENTAL STATION

During his career in Congress he was largely instrumental in securing an "experimental station" to be located in the north section of the "great plains" to demonstrate the kind and character of plants, shrubs and trees adapted to the climate and soil of the semi-arid lands of the United States. The "station" was located near the City of Mandan. To secure this location for the state it was stipulated that 320 acres of land adjoining land purchased by the Government, should be deeded to the North Dakota Agricultural College for the use of the "department of agriculture" in the establishment and maintenance of a field station in conducting experiments in dry land agriculture. This land was purchased and deeded by the citizens of Mandan. The governor recommended that as the experimental station was for the benefit of the whole state, these citizens should be reimbursed. The Legislature complied.

His experience as a banker convinced him that the people should be protected in their investments in bonds and stocks. The state had been exploited by mining, oil and insurance companies with little substance or capital behind them, to the great financial loss of many of its citizens. The Legislature passed what is popularly known as "The Blue Sky Law." It affords the desired protection. The Legislature of 1913 appropriated $8,000 for an exhibit at Christiania, Norway, the governor appointed a commission to gather exhibits of the products of

UNITED STATES BATTLESHIP NORTH DAKOTA

the state, photographs of farm buildings, churches, educational buildings erected by Scandinavian people, all tending to show the progress and advancement of Norway's sons in this state, and the opportunities which the state afforded for future emigrants. A fund was raised by the citizens of all nationalities and a statue of Abraham Lincoln was bought. The governor, the members of his staff, and a large committee of prominent Scandinavians accompanied the "commission" to Norway, and Governor Hanna personally, in behalf of the citizens of North Dakota, presented the statue of Abraham Lincoln to the King of Norway. The King of Norway in September, 1915, conferred upon Governor Hanna "the order of St. Olaf" of the first class. It is the highest civic decoration given by the Norwegian government.

During Governor Hanna's absence in Norway a primary election campaign for the nomination of governor and state officers was on. The governor was a candidate for re-nomination. No opposition was anticipated. His management of the fiscal affairs of the state justified the belief that he would be endorsed by all factions of his party. In the distribution of the patronage at his disposal he had recognized all factions, all his appointments were based on the ability and character of the appointee to render efficient, honest and economic service to the state, rather than as rewards for political service. There was not enough patronage to reward all the applicants, the disappointed ones and a few irreconcilable progressives initiated a campaign of opposition, notwithstanding which Hanna was re-nominated and re-elected in November, 1914. He was inaugurated for his second term in January, 1915.

FINANCES

Governor Hanna's message to the Fourteenth Legislative Assembly was devoted mainly to the finances of the state. An examination of the financial condition of the state disclosed the fact that in January, 1913, when he entered upon the office of governor, the state had an outstanding indebtedness of $500,479.99. There was cash in the state treasury to the credit of the general fund to the amount of $71,496.94. It was estimated that there would be received from uncollected taxes of the past biennial period enough to reduce this indebtedness to approximately $300,000.

The income of the state from all sources was inadequate to pay for the maintenance of the state government and meet the appropriation for state institutions and miscellaneous subjects authorized by the Legislature. The state was deriving revenue from oil inspection, to the amount of about one hundred thousand dollars a year, but the oil companies of the state instituted an action contesting the constitutionality of this law, as a revenue producer, and the state was enjoined from the collection of the fees for inspection pending the final determination of the action. If the Supreme Court should hold that the fees for oil inspection could legally be exacted to cover the cost of inspection only, and that the present law went beyond this, and was a law to raise revenue, the court would declare the law invalid, and about $100,000 due for inspection of oils would be uncollectable. There was therefore an imperative need of increased revenue to meet the current expenses. To meet this prospective deficiency the Legislature enacted an inheritance tax, and the state board of equalization in August, 1915, raised the assessment of real and personal property as returned by the county auditors to the state auditor, nearly forty million dollars.

The constitution of the state limits the levy for all state purposes to 4 mills, but authorizes an additional levy sufficient to pay the interest on the public debt. The levy for state purposes is made by the state board of equalization, but the Legislature had made levies for specific purposes to the amount of 1.47 mills, this deducted from 4 mills left but 2.53 mills that could be levied for the general fund to conduct the business of the state. This would yield an amount entirely inadequate to pay the current expenses of the state for any one fiscal year, and it was necessary, therefore, for the Legislature to cease making special levies.

BUDGET PRESENTED

Governor Hanna had learned in Congress that it was a wise plan to have an estimate or budget of the probable expenditures of the state of the coming biennial period, as well as an estimate of the revenue. Mr. Hanna prepared such a budget and submitted it to the Legislature. It was the first time in the history of the state that an effort had been made to put the state expenses together and have a bill that in one measure covered the major expenses of the state.

BONDED INDEBTEDNESS

The bonded indebtedness of the state on January 1, 1913, was $937,300; all but $200,000 of this amount was for territorial bonds which the state assumed and agreed to pay when the Territory of Dakota was divided. In the intervening period between January 1, 1913, and January 1, 1915, bonds to the amount of $320,000 were paid from the fund and actually retired, and on July 1, 1915, an additional issue of $55,300 of bonds was paid and retired, leaving a bonded indebtedness at that date of $562,000 and reducing the actual interest account of the state by some $18,000.

BOARD OF REGENTS

The governor recommended that all of the state educational institutions be placed under the control and management of a single board to be known as the board of regents. He deemed this advisable not only from the standpoint of economy, but also as he cogently expressed it, it would "delocalize and make them state institutions." The necessary legislation creating a board of regents and repealing laws which provided separate boards or trustees of each institution was enacted. The governor was authorized and it was his duty to nominate before March 2, 1915, and by and with the consent of the Senate to appoint a board of five persons who were to meet at the seat of government on the first Tuesday in April, 1915, and organize. The governor nominated as members of the first board, Lewis F. Crawford, of Sentinel Butte, former Governor Frank White, of Valley City, Dr. J. D. Taylor, of Grand Forks, Emil Scow, of Bowman, and James A. Power, of Leonard, and they were confirmed by the Senate, but they were prevented from organizing in April, as F. B. Hellstrom invoked the provisions of the referendum law and circulated petitions to have it submitted to a vote of the people. He failed, however, to obtain the required number of signatures, and the board organized on the 8th day of July, 1915, by the election of Lewis F. Crawford, as president, Frank White, as vice president, and Charles Brewer, as secretary. The board is a very able one, all its members are college bred men, and are well equipped to manage the fiscal affairs of the institutions.

IMMIGRATION

Another measure that Mr. Hanna advocated and the Legislature approved was the creation of a State Board of Immigration. It is highly probable that the disastrous war in Europe will lead to an exodus of farmers from the countries involved, after its close. The state needs the farmers and artisans and an effort should be made to secure a part of this emigration. An appropriation for this purpose of $25,000, available for maintenance of the board of immigration in 1915, and $35,000 available for maintenance in 1916, was enacted and it redounds to the credit of Mr. Hanna that he persuaded the Legislature to take up this work for the first time. The organization of this board has, however, been prevented by the circulation of petitions under the referendum law. One form of the petitions is directed against the law in its entirety, another against the appropriation section. Neither petition secured the requisite number of signatures to suspend the law, but both combined did, and an action followed to compel the organization of the board on the ground that the petitions can not be combined, and therefore the law is in full force and effect.

DOURINE

By reason of the spread of a disease known as dourine among horses, many of the farmers and stockmen of the state suffered great losses. It was necessary in order to stamp out the disease to kill horses afflicted with it. The Federal Government agreed to pay one-half the appraised value of all horses killed by order of the Federal or state veterinaries, if the government of the state promised to recommend to the State Legislature to appropriate a sufficient sum to pay the other half. Governor Hanna agreed to this arrangement with the Federal Government, and upon his recommendation the Legislature appropriated enough to pay half of the amount of the claims presented for horses killed. All claims have been fully satisfied. The epidemic was checked and apparently stamped out.

LAWS

An inheritance tax was enacted during his administration, which, it was expected, would yield an amount annually equal to one-half of the loss of fees from oil inspection.

The law providing for uniform text books in public schools of the state will save a large sum annually to the patrons of the schools, as will the law reducing the legal rate of interest to 6 per cent and the contract rate to 10 per cent.

The law authorizing state banks to become members of the Federal Reserve system will also benefit the people. The state banks can always obtain a supply of money to move the crops in the fall and at better rates than formerly.

In remembrance of the fact that the "poor are always with us" the Legislature enacted "a mother's pension law," whereby mothers with dependent children and without means to support them can receive a monthly pension from the county of their residence.

The establishment of a state sanitarium for the treatment and care of tuberculosis was a feature of the Hanna administration. It is located at the foot of the Turtle Mountains and is open to all residents who are victims of that dread disease, without charge.

The law empowering the Board of Railroad Commissioners to regulate the rates for water, gas and electric light companies and placing telephone companies under their control will relieve portions of the state from further excessive charges and will equalize and make uniform the charges for service throughout the state.

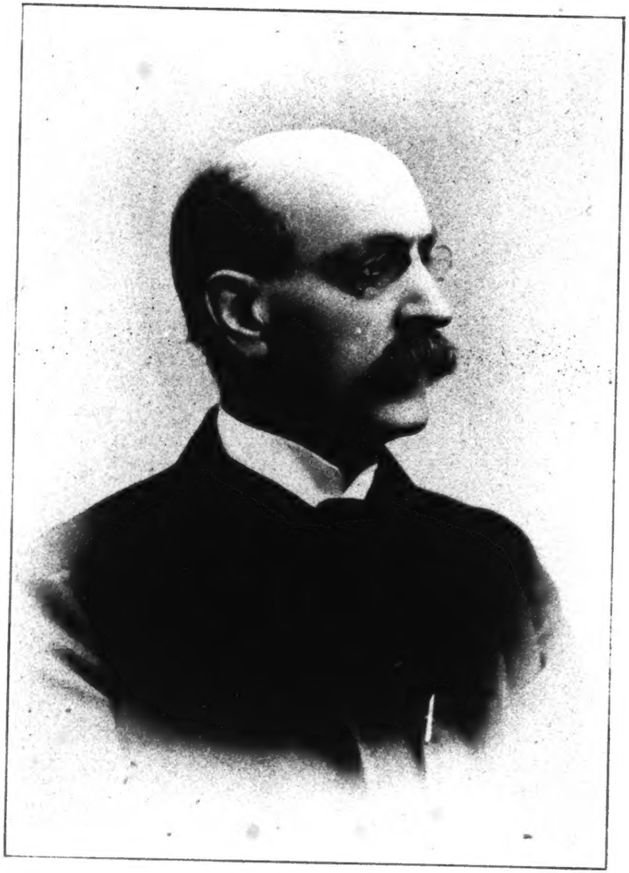
TEMPERANCE

The prohibition law of 1889 during this administration was further strengthened by a provision defining "boot legging" and making it a crime punishable by imprisonment in the penitentiary, legalizing inspection by state's attorneys and others of the records and way bills of freight and express companies, relating to intoxicating liquors, prescribing penalties for receiving or receipting for intoxicating liquors in fictitious names and declaring places where paraphernalia was used for purposes of gambling, public nuisances, which could be closed by injunction, the paraphernalia confiscated and destroyed upon the conviction of the keeper of the place.

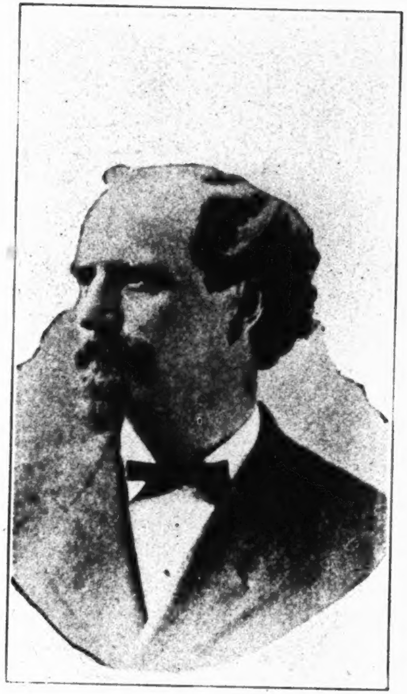
The first attempt of any state to test the efficacy of the provisions of the Federal Webb-Kenyon Law to prevent the importation into the state of intoxicating liquors by common carriers was made in the Hanna regime. Henry J. Linde, attorney-general of the state, instituted actions in the state courts to enjoin the Northern Pacific, Great Northern and the Soo railroads from receiving for transportation or delivery, intoxicating liquors consigned to any resident of the state. The state courts issued temporary restraining orders against each of these companies. The companies affected transferred the suits to the Federal Court, but stipulated that the temporary injunction should remain in full force pending the final determination of the actions. One case has been tried before Judge Amidon, the Federal district judge and submitted. When he renders a final judgment it is probable an appeal will be taken therefrom to the Supreme Court of the United States. If the law is upheld by that court, the shipment of intoxicating liquors in unusual quantities will stop. The source of supply being cut off, blind pigs or unlawful places for the sale of liquor can not operate and the sale of intoxicating liquors to be drunk as a beverage will cease.

WOMAN SUFFRAGE

The question of extending suffrage to the women of the state was submitted to the people at the general election in November, 1914, and was defeated. Since statehood, women have had the privilege of voting for all school offices and were eligible to hold school offices. Two have been elected to the office of state superintendent of public instruction, viz.: Mrs. Laura J. Eisenhuth and Miss Emma



LYMAN R. CASEY
United States Senator, North Dakota, 1889 to 1893



GOVERNOR AND U. S. SENATOR
GILBERT A. PIERCE

Eighth governor of Dakota Territory,
1884-1887

Bates. Both discharged the duties ably and creditably. One-third of the counties, including the most populous ones, have elected women as county superintendents of schools and almost every district has one or more women as school officers. It is worthy of note that in territorial days before the division of the Dakota, the Legislature of 1885 passed a bill conferring full suffrage upon women. But Gilbert A. Pierce, then governor of the territory, vetoed it. To Dr. Cora Smith King, now living at Washington, D. C., and who was then Miss Cora Smith, of Grand Forks, belongs the credit of persuading the Legislature to pass this law. The curtain has not yet been "rung down" on this subject. The advocates of suffrage are still campaigning and expect to carry the state when it is again submitted to a vote of the people.

THE SOLDIERS' HOME AT LISBON

The home is maintained without cost to the state from the revenue derived from the land grant of 40,000 acres by the government. Out of the funds they spent $13,000 to take 165 of the veterans to the fiftieth anniversary of the Battle of Gettysburg, the superintendent having charge of the trip, all veterans residing in the state being entitled to railroad fare and expenses of the trip.

The institution also takes care of the expenses of the Grand Army of the Republic, the state spending $1,500 a year for this purpose.

The bill creating the home was signed February 27th, 1891, 12 o'clock noon, in the presence of Hon. M. L. Engle, deceased; Hon. H. S. Oliver, deceased; Hon. L. C. Hill, deceased; A. H. Laughlin, the legislative committee. The bill was signed by Governor Andrew H. Burke and was known as Senate Bill No. 60.

The home opened on August 1st, 1893, with Col. W. W. McIlvain, commandant who served ten years and resigned on April 1st, 1903. He was succeeded by Col. John W. Carroll, a veteran of the regular army, seeing service in the Civil war.

The home was originally built to accommodate thirty men, but has been enlarged and extended to double its capacity. The grounds cover eighty-five acres and is one of the beauty spots of the state. It is located on the Sheyenne River, one mile from the center of Lisbon, in a grove of native trees. The spot is a delight to the eye.

The original land was homesteaded by Henry Cramer and was bought from his widow, Caroline Cramer. Eighty acres bought and five acres later added.

NORTH DAKOTA IN CONGRESS

Lyman R. Casey, a senator from North Dakota; born in York, Livingston County, N. Y., May 6, 1837; when very young moved with his parents to Ypsilanti, Mich.; in the hardware business for many years; settled in Dakota in 1882, at Carrington, Foster County; chairman of the North Dakota Committee on Irrigation; commissioner of Foster County; elected as a republican to the United States Senate and served from November 25, 1889, to March 3, 1893; located in New York City.

Gilbert A. Pierce, a senator from North Dakota; born in East Otto, Cattaragus County, N. Y.; moved to Indiana in 1854; attended the University of Chicago

Law School two years; enlisted in Company H, Ninth Indiana Volunteers, in 1861, and elected second lieutenant of the company; appointed captain and assistant quartermaster by President Lincoln; promoted to lieutenant colonel in November, 1863; appointed a colonel and inspector, and special commissioner of the war department, and served until October, 1865; member of the Indiana Legislature in 1868; assistant financial clerk of the United States Senate, 1869-1871; resigned to accept an editorial position on the Chicago Inter-Ocean; served as associate editor and managing editor for twelve years; became connected with the Chicago News in 1883; appointed governor of Dakota in July, 1884; resigned in November, 1886; elected as a republican to the United States Senate, and served from November 21, 1889, to March 3, 1891; died in Chicago, Ill., February 15, 1901.

Henry C. Hansbrough, a representative and a senator from North Dakota; born in Randolph County, Ill., January 30, 1848; attended the common schools; learned the art of printing and engaged in newspaper publishing in California, Wisconsin, and Dakota Territory; became a resident of the last named in 1881; twice elected mayor of Devils Lake; delegate to the Republican National Convention in 1888; national committeeman for eight years; elected as a republican, upon the admission of the State of North Dakota into the Union, to the Fifty-first Congress and served from December 2, 1889, until March 3, 1891; elected to the United States Senate, January 23, 1891; re-elected in 1897 and 1903, and served from March 4, 1891, until March 3, 1909; resident of Devils Lake, N. D.

Martin N. Johnson, a representative and a senator from North Dakota; born in Racine County, Wis., March 3, 1850; moved with parents to Iowa the same year; was graduated from the law department of the Iowa State University in 1873; taught two years in the California Military Academy in Oakland, Cal.; was admitted to the bar in 1876; returned to Iowa, and was a member of the State House of Representatives in 1877; state senator, 1878-1882; Hayes elector for the Dubuque District in 1876; moved to Dakota Territory in 1882; district attorney of Nelson County in 1886 and 1888; member of the Constitutional Convention of North Dakota in 1889, and chairman of the First Republican State Convention same year; elected as a republican to the Fifty-second, and to the three succeeding congresses (March 4, 1891-March 3, 1899); elected to the United States Senate, and served from March 4, 1909, until his death in Fargo, N. D., October 21, 1909.

William N. Roach, a senator from North Dakota; born in Loudoun County, Va., September 25, 1840; attended the city schools and Georgetown College; clerk in the quartermaster's department during the Civil war; moved to Dakota Territory in 1879; interested in mail contracts for several years; took up land in Dakota and engaged in agriculture; mayor of Larimore, 1883-1887; member of the Territorial Legislature, session of 1885; democratic candidate for governor at the first state election and defeated; renominated at the next election and again defeated; elected to the United States Senate and served from March 4, 1893, to March 3, 1899; moved to New York City, where he died September 7, 1902.

Porter J. McCumber, a senator from North Dakota; born in Illinois, February 3, 1858; moved to Rochester, Minn., the same year; attended the common schools; taught school for a few years; was graduated from the University of Michigan in 1880; moved to Wahpeton, N. D., in 1881, and practiced his profession; member of the Territorial Legislature in 1885 and 1887; attorney-general 1887-1888;

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John M. Baer, M. C. First District

SENATORS AND REPRESENTATIVES OF NORTH DAKOTA elected as a republican to the United States Senate January 20, 1899, for the term commencing March 4, 1899; re-elected in 1905, and served from March 4, 1899, to March 3, 1911. Re-elected for the term commencing March 4, 1911.

Burleigh F. Spalding, a representative from North Dakota; born in Craftsbury, Orleans County, Vt., December 3, 1853; attended the Lyndon Literary Institute, Lyndon, Vt., and was graduated from Norwich University in 1877; studied law in Montpelier, Vt., and was admitted to the bar in March, 1880, and commenced practice in Fargo, N. D.; superintendent of public instruction of Cass County, Dakota Territory, from 1882 to 1884; member of commission to relocate capital of the Territory of Dakota and build capitol; member of the North Dakota Constitutional Convention in 1889; member of the joint commission provided by the Enabling Act to divide the property and archives of the Territory of Dakota between the states of North and South Dakota; twice elected chairman of the Republican State Central Committee; chairman of the Cass County Republican Committee; elected as a republican to the Fifty-sixth Congress (March 4, 1899-March 3, 1901); re-elected to the Fifty-eighth Congress (March 4, 1903-March 3, 1905); associate justice of the Supreme Court of North Dakota in 1907; re-elected in 1908; chief justice of the State Supreme Court in 1911.

Thomas Frank Marshall, a representative from North Dakota; born in Hannibal, Mo., March 7, 1854; attended the State Normal School, Platteville, Grant County, Wis.; became a surveyor; moved to Dakota in 1873 and engaged in banking; mayor of Oakes, N. D., for two terms; state senator four years; delegate in the Republican National Convention in Minneapolis in 1892; elected as a republican to the Fifty-seventh, Fifty-eighth, Fifty-ninth, and Sixtieth congresses (March 4, 1901-March 3, 1909).

Asle J. Gronna, a representative and a senator from North Dakota; born in Elkader, Clayton County, Iowa, December 10, 1858; moved with his parents to Houston County, Minn., where he attended the public schools and the Caledonia Academy; taught school for two years in Wilmington, Minn.; moved to Dakota Territory in 1879, and engaged in farming and teaching; in 1880 moved to Buxton, Traill County, and engaged in business; moved to Lakota, Nelson County, in 1887; member of the Territorial Legislature of 1889; served as president of the village board of trustees and president of the board of education several terms; in 1902 became chairman of the County Central Committee of Nelson County, and was re-elected to the position in 1904; appointed a member of the Board of Regents of the University of North Dakota by Governor Frank White in 1902; elected as a republican to the Fifty-ninth, Sixtieth, and Sixty-first congresses and served from March 4, 1905, until February 2, 1911, when he resigned; elected to the United States Senate, to fill vacancy caused by death of Martin N. Johnson, succeeding the appointments of Senators Thompson and Purcell, for the term ending March 3, 1915, and took his seat February 2, 1911. Re-elected.

Fountain L. Thompson, a senator from North Dakota; born near Scottsville, Ill., November 18, 1854; moved to Girard, Ill., in 1865, where he resided until 1888; attended grammar and high schools in Girard, Ill.; studied law, was admitted to the bar, but did not practice; member of the Board of Supervisors of Macoupin County; entered mercantile business in 1872; moved to a farm near

Cando, Towner County, N. D., in 1888; delegate in the first democratic county convention that assembled after statehood, and was chosen chairman; county judge for eight years; in 1891 he engaged in the real estate and loan business in Cando, and later established the Thompson Realty Company, of which company he was president; vice president of the First National Bank of Cando, and president of the First National Bank of Rocklake; interested in farming; school director six years, alderman of Cando four years, and mayor two years; appointed as a democrat United States senator to fill vacancy caused by the death of Martin N. Johnson and served from November 10, 1909, to January 31, 1910, when he resigned, and William E. Purcell was appointed in his place to fill the unexpired term, serving until the election of Asle J. Gronna, February 1, 1911.

William E. Purcell, a senator from North Dakota; born in Flemington, N. J., August 3, 1856; attended common schools; studied law, was admitted to the bar of New Jersey in 1880; went to Dakota Territory in July, 1881; located in Wahpeton, was appointed by President Cleveland United States attorney for the Territory of Dakota, April 5, 1888; resigned in May, 1889, having been elected a member of the constitutional convention for the new State of North Dakota; was a member of the joint committee appointed by the Constitutional Convention of North Dakota to divide the property and adjust the indebtedness between the states of North and South Dakota; district attorney of Richland County, N. D., from October, 1889, to January 1, 1891; elected state senator in November, 1906; appointed United States senator January 29, 1910, to fill the vacancy in term commencing March 4, 1909, caused by the death of Martin N. Johnson and the resignation of Fountain L. Thompson, and served from February 1, 1910 to February 1 1911; resumed the practice of law in Wahpeton, N. D.

Louis B. Hanna, a representative from North Dakota; born in New Brighton, Pa., August 9, 1861; attended schools of Ohio, Massachusetts, and New York; moved to North Dakota in 1881; member of the House in the State Legislature 1895-1901; member of the State Senate 1905-1909; elected as a republican to the Sixty-first Congress (March 4, 1909-March 3, 1911). Re-elected to the Sixty-second Congress.

Henry T. Helgesen, republican, of Milton, was born on a farm near Decorah, Winneshiek County, Iowa; received his education in the public schools and the Normal Institute and Business College of Decorah; after graduating entered the mercantile business in Decorah, continuing there until 1887, when he moved to the Territory of Dakota, locating at Milton, Cavalier County, engaging in the hardware, furniture and lumber business, retiring in 1906 and devoting his time to his farm lands; he was married in 1880 to Bessie H. Nelson, of Decorah, and has a family of three boys and four girls; became actively interested in local and state politics soon after locating in Dakota, and was the first commissioner of agriculture and labor of the new State of North Dakota, and was re-elected to the same office in 1890; has served ten years as member of the University Board of Regents; nearly twenty years ago he began a fight for cleaner politics in the state, and early became a leader in the progressive movement; was elected as congressman at large in 1910, and on the reorganization of congressional districts in the state in 1912 was elected as congressman from the First District in 1912 and re-elected in 1914.

George M. Young, republican, Valley City, N. D.; great-grandparents came from Ireland to United States a little over a century ago, settling at Oak Point, St. Lawrence County, N. Y., and the next generation moved to Ontario, where the subject of this sketch was born, December 11, 1870, at Lakelet, Huron County; during boyhood he and his widowed mother went to St. Charles, Mich., where he was educated in the public and high schools and later graduated from the University of Minnesota; settled at Casselton, N. D., in 1890, and at Valley City in 1894; married Augusta L. Freeman, St. Charles, Mich., and has one child, Katherine Adams, six years old; served in the State Legislature eight years; elected to Sixty-third Congress; re-elected to Sixty-fourth Congress, receiving 18,559 votes, to 6,938 for J. J. Weeks, democrat, and 1,524 for N. J. Bjornstad, socialist.

Patrick D. Norton, republican, of Hettinger, was born at Ishpeming, Marquette County, Mich., May 17, 1876; moved to Ramsey County, N. D., with his parents in 1883; educated in the common schools and State University of North Dakota; graduated from University of North Dakota in 1897 with degree of B. A.; studied law at the State University and was admitted to practice in 1903; is engaged in the active practice of law and is also interested in banking, real estate business, and live-stock raising, has been elected to the following offices: county superintendent of schools, chief clerk of the House of Representatives, states attorney, and secretary of state; since taking part in political affairs has been recognized as one of the most active leaders of the progressive republican movement in North Dakota; was nominated at the state-wide primary in June, 1910, as the candidate of the progressive republican organization for secretary of state and was elected in November of that year by a plurality of more than thirty thousand; in the primaries in June, 1912, he won the republican nomination for Congress after a most exciting campaign, in which four other prominent republican candidates participated; was elected to the Sixty-third Congress by a large majority over his democratic and socialist opponents, and was re-elected to the Sixty-fourth Congress.

CHAPTER XXVII

THE CODES OF NORTH DAKOTA

TRUE RELATION TO THE CALIFORNIA CODES—THE FIELD CODES FIRST ADOPTED IN DAKOTA TERRITORY—THE SUCCESSIVE REVISIONS AND COMPILATIONS

In 1873 Peter C. Shannon and Alphonzo H. Barnes were associate justices of the Dakota bench. Chief Justice Geo. W. French had held the first term of court in 1871, in what afterward became North Dakota, and a second term in 1872. Chief Justice Shannon, who had succeeded Judge French, held terms of court at Pembina in June and September, 1873. Judge Barnes succeeded Judge Shannon in the Northern Dakota district in 1874, Shannon returning to the Yankton district.

Judge Shannon, about this time, prepared the Criminal Code adopted by the Dakota Legislature of 1875, and took a leading part in the codification of the laws under the act of 1875, adopted in 1877. Judge Shannon was learned in the law and in every way adapted to the work assigned him. He was most ably assisted by Hon. Bartlett Tripp and Granville G. Bennett.

No better statement of the origin of the codes can be presented than that written by Judge Shannon, in a letter to the writer hereof in 1895. He was then residing at Canton, S. D., with his mental powers as alert as in his younger days, and his health unbroken. He wrote:

"It is erroneous and gravely misleading to say that our codes were taken bodily from California, as serious results might spring from this notion. A few facts will overthrow it.

"The authors of the codes, comprising such eminent jurists as Field, Sherman, Bradford, Graham and Noyes, after years of labor, made their final report of the civil code to the New York Legislature in February, 1865, and within a year thereafter the Legislature of Dakota adopted it. Rejected there, it found a home and was welcomed here. California followed our lead six years later.

"The first draft of the penal code was laid before the Legislature in 1864, and in the following January it was enacted here. California, imitating our example, adopted it in 1872.

"Our civil procedure of 1867 was not borrowed from California, but was extracted from the New York original of 1849, the parent of most of our modern codes on the subject.

"Our criminal procedure as it now stands was prepared to suit existing territorial conditions by this writer in 1874, and was passed in January, 1875. It was mainly framed from the New York originals.

"Thus, historically, the first honor and the just praise belong to Dakota. We did not take our codes from California. Our old territorial assemblies in this regard built well and wisely, whether they were aware of it or not, and laid broad and deep the foundations of perhaps the best system of jurisprudence extant. To them be always given due credit; and it would be well for future legislatures, as also for the profession, to see to it that this admirable system be not marred or disjointed.

"Without looking to California or seeking elsewhere, the truest and safest key to the meaning of our codes is to be found in the notes of their authors, appended to the sections. These not merely illustrate but justify the text."

It is well said that Judge Shannon has good and just reason to congratulate himself upon his great work as Dakota's chief codifier. That code will always remain his monument.

On the occasion of the death of David Dudley Field, Judge Shannon wrote the Sioux Falls Press:

"The death of the foremost and most influential lawyer in the United States, and the most distinguished law reformer in the English speaking world, deserves, especially among the people of the two Dakotas, more than an ordinary or a passing notice. His name will always be solidly linked with the best institutions of these two states; for he was the inspiring genius and the greatest author of our admirable and beneficent codes.

"When thirty-four years old he publicly began in New York his herculean work of legal reform, and within a few years bills were introduced in that Legislature incorporating his plans as to procedure in the courts. In 1847 he became chairman of the commission which inaugurated and carried out that plan of civil procedure which, adopted there, soon spread over many other states, and is the law here.

"In 1857 he was chairman of the commission that codified the civil and penal laws—works which, completed in 1865, were not, however, adopted by that Legislature, but first of all became laws in Dakota in 1865-6. Thus we have the gratifying distinction that our territorial assembly was the very first Legislature in the world to adopt and put into operation these two magnificent codes.

"From 1839 until his death—a period of fifty-five years—his mind and energies were constantly devoted to the one supreme object of improving the laws and simplifying legal proceedings in the courts.

"His ideal and model was the code of Justinian, which for thirteen centuries has been considered as one of the noblest benefactions to the human race, as it was one of the greatest achievements of human genius. His studies early taught him that the Justinian code is, indeed, the chief source whence have been drawn most of the best principles and doctrines of boasted common law. And as the emperor, Justinian, in 528, appointed a commission of jurists to revise the laws and compile a code, incorporating in it all previous laws and codes, so Mr. Field applied to the Legislature for such a commission to revise and codify the laws of New York. Justinian took care to appoint on his commission the foremost lawyer of the empire, Tribonian, under whose skill and laborious superintendence and direction the Roman code was compiled in 534, taking its name, as usual, from the emperor who appointed the commission, rather than from the person who was its architect. And so with Napoleon and the French code. But the name of Tribonian is, notwithstanding, inseparably connected with this masterpiece of jurisprudence.

"And so Mr. Field, appointed on the modern commission, became the Tribonian, not only in the codification of common law in both its civil and penal departments, but also of the laws of procedure and of the law of evidence. Not content with all this vast labor, in 1873, he issued his "Outlines of an International Code,' the purpose and thought of which is to cause arbitration to supersede war among nations in the settlement of all disputes between them. With advancing thought and experience among civilized people, the necessity of such a code becomes more and more apparent; and it is to be hoped the time will speedily come when this capsheaf of the genius of Mr. Field shall be garnered into public utility over the world. Then all oppressed nations and groaning peoples will bless his memory. The seeds thus sowed by him have been germinating and will continue to grow, for already many of the best intellects of the world, attracted by his project, have given their approbation to it."

Hon. Ernest W. Caldwell, who, with Charles H. Price, was the compiler of the laws of 1887, says these laws were "chiefly the product of the industry, literary skill and legal knowledge of Judge Shannon. As a life long student of law, as the leader of the commission which revised the codes, as chief justice of the Appellate Court before which these codes were first tested in litigation, and subsequently as attorney practicing thereunder, he is eminently well qualified to pass judgment upon the merits of the work which David Dudley Field has performed for the benefit of society through all the years to come."

Commenting on the above, Judge Charles F. Amidon wrote in 1895, "Another reason for the quite general notion that North Dakota copies the civil code from California, grows out of the effect of the California code upon the revision of 1877. The code as originally adopted in this state was almost an exact copy of the proposed draft of the civil code presented to the New York Legislature by the David Dudley Field Commission. There were many provisions in this original code which were not applicable to a western system of laws. In 1870 a commission was appointed in California to undertake a revision of the codes as presented in New York, so to bring them down to date, and also to so modify them as to make them applicable to a western community. This revision was carried forward with great thoroughness in California, by a commission composed of the ablest lawyers on the Pacific Slope, and the code as thus revised was adopted by California in 1872. The commission which was appointed in the Territory of Dakota under the laws of 1875, to revise the codes here, availed itself very largely of the work of the California commission, and most of the changes which were made in the revision of 1877 were borrowed from California.

COMPILED LAWS OF 1887

The Seventeenth Territorial Legislature in 1887 provided for a legalized compilation of the laws of the territory by passing a law empowering the governor of the territory, by and with the consent of the Council to appoint a compiler and assistant compiler of the laws. E. W. Caldwell and Charles H. Price were selected and appointed by the governor as the commission. This law conferred no power to revise the statutes, to reconcile contradictions, to correct inconsistencies, or to supply omissions found in existing laws, but all such contradictions, inconsistencies and omissions were to be reported to the Legislature for their information and action.

The compilers reported to the Eighteenth Territorial Legislature, which assembled at Bismarck in January, 1889, but this Legislature evinced no disposition to consider the report, or correct any inaccuracies or inconsistencies in the laws. The National Congress had passed and President Cleveland had on the 22d day of February, 1889, signed the so-called "Omnibus Bill," which, among other things, provided for the division of Dakota and the separation of the area embraced in the boundaries of Dakota, into two states or territories, as the people living in the respective sections should by vote determine.

This commission compiled and classified all the general laws in force at the close of the Seventeenth Legislative session. This included the seven codes of the revision of 1877, but changed the arrangement of the chapters and numbered the sections consecutively, so that reference would be made thereto by the lawyers and courts as sections of the Compiled Laws of 1887, instead of sections of the civil, penal or other codes, as the case might be, and was of material advantage not only to the profession and courts, but to the officers of both the territorial and state governments. This compilation together with the session laws of 1890, 1891, 1893 and 1895 was the legalized and official compilation of the laws governing the state until the adoption of the revision of 1895.

Judge Amidon, continuing, said: "It was not until after the revision of 1887 that the codes became familiar to the profession in the Territory of Dakota. The code, never having been adopted in New York, never received any construction from the courts of that state, and it was natural, therefore, for the profession to look to California as the origin of the code, it having been adopted there, and many decisions having been rendered by the Supreme Court of California construing its provisions.

"What is true of the civil code is also true of other codes of the state. The commission of 1877 borrowed most largely from the codes of California. There was great advantage in this course, for it gave to the courts of this state the advantage of the construction of the very able court which then existed in California. No revision was attempted in North Dakota after 1877. Our present compiled laws are very aptly named. It was simply a compilation of the laws in force in 1887. The compilers had no power to make changes in existing law, or to propose amendments thereto.

"Nearly twenty years, therefore have elapsed, since the laws of this state have been revised. This was a period of great growth in statutory law. The original codes had been adopted in many other states, and at each adoption had been subjected to a thorough revision. During the same period a vast body of session laws had grown. This is especially true since the adoption of the constitution, much new legislation being required to carry the provisions of the constitution into effect. These laws, however, were framed and passed in a fragmentary manner to meet particular emergencies and were in many of their provisions irreconcilably conflicting. There was great need of a thorough revision which would bring the existing law into harmony and supply the deficiencies which would be manifest to a commission undertaking such work."

When Dakota was divided in 1889, the laws of Dakota Territory were spread over the states of North and South Dakota, and it remained that they be adapted to the constitution of the states, as appeared to be necessary.

The necessity of adapting these laws to the constitution of the state by eliminating provisions either conflicting therewith, or made obsolete, or repealed by any articles thereof, was recognized by the people of the state, and accordingly the Second State Legislature, which assembled in January, 1891, after reciting in the preamble to chapter 82 of the Session Laws of 1891, that there had been no legalized compilation of the laws of the state; that the laws passed at the several sessions of the Territorial Legislature, and of the State of North Dakota, were confused and inconsistent, and did not conform to the constitution of the state, and therefore it was a work of great labor and difficulty to ascertain what the law really was on many subjects, enacted a law providing for the appointment by the governor of a commission of three persons to compile, arrange, classify and report the laws of this state, which may be in force on the first day of July, A. D. 1891.

Governor Andrew H. Burke, selected and appointed as such commission, Robert M. Pollock, of Cass County, Patrick H. Rourke, of Ransom County, and John G. Hamilton, of Grand Forks County. This commission met at Bismarck soon after the adjournment of the Legislature, and organized by the selection of John G. Hamilton as chairman, and John F. Philbrick, of Bismarck, as secretary. The commission prepared a very complete report, showing the various inaccuracies, contradictions and inconsistencies found in existing laws, and recommended the correction of these by the Legislature, and the publishing of their compilation when so corrected, but this Legislature had consumed forty-five days of a session limited to sixty days, in a bitter struggle to harmonize its conflicting elements and elect a United States senator, consequently the only consideration given the report was to refer it to another commission, upon whom was conferred the power to revise and codify the laws. Judge Charles F. Amidon, who was chairman of the commission of 1893, speaking of this compilation says:

"This commission appears to have done faithful work, making an exhaustive report to the Legislature of 1893, which, however, owing to the prolonged senatorial controversy, paid little attention to their report. Their powers, however, were limited to compilation and classification, though they secured the introduction of a large number of bills revising, many of which became laws and were useful to the new commission, which was given authority to revise, as well as classify, codify and compile. In fact the new commission was a revision, rather than a compilation commission. The act of 1893 creating the commission gave them power to reject all obsolete and conflicting provisions, and report any new laws necessary to complete the codes which already existed. The law provided that this commission should be appointed by the governor upon the recommendation of the judges of the Supreme Court. Governor Eli C. Shortridge appointed for this work George W. Newton, of Bismarck, Burke Corbet, of Grand Forks, and Charles F. Amidon, of Fargo, these persons having been recommended by the Supreme Court. The commission entered upon its work and carried it forward with such energy that when the Legislature met in January, 1895, the commission had ready to report to it a complete system of codes. These codes received the highest commendation of all members of the Legislature, and all were adopted in the main as reported, although several important amendments were made by the Legislature, in which all members of the commission did not concur."

Two of the members of the old commission were in position to render important work in the final adoption of the codes. Hon. Patrick H. Rourke was a member of the Senate and one of the Senate judiciary committee and of the joint compilation committee, and on both did excellent service. Maj. John G. Hamilton was clerk of the joint committee and after the adjournment of the Legislature was employed to assist Hon. Burke Corbet on the political codes and in the indexing. The new code took effect July 1, 1895. Judge Charles J. Fisk, of Grand Forks, a most notable lawyer, was secretary of the commission which prepared the codes of 1905.

1895 COMMISSION

This commission reported to the Fourth Legislative Assembly in January, 1895. It embodied its work in seven bills, each bill covering one of the seven codes. The Legislature created a special joint committee of the House and Senate and referred these seven bills to this committee. The committee examined each bill carefully and critically, it made few amendments to any of the codes, and such as they recommended did not contain any material changes. The Legislative Assembly separately considered each code as reported by the joint committee, and enacted each code substantially as compiled by the commission, excepting the political code, wherein was inserted an entirely new revenue law, as well as other amendments. The commission did not approve of some of these changes and disclaimed responsibility for their authorship or enactment. Owing to the meagerness of the appropriation for printing by the state, the edition of the 1895 code was a small one and was soon exhausted. To supply the demand for the codes from lawyers and the various municipalities, the Legislature on the 21st day of February, 1899, enacted a statute authorizing the revision of the Revised Codes of 1895 to be known as the Revised Codes of 1899. This revision was to be made under the general supervision of the secretary of state, the Hon. Edward F. Porter, but was restricted, however, to the elimination of such chapters, articles or sections of the Codes of 1895 as were repealed by the Legislature of 1897 and 1899, to the substitution and incorporation of all amendments without modification, to the renumbering of the sections, chapters and articles when necessary to harmonize the statutes, to the re-arrangement of the table of contents, and to the re-indexing. It was in substance to be a compilation, rather than a revision of the existing laws. The secretary was empowered to employ experts in compiling and digesting, and other help deemed necessary to facilitate the work of publishing, and selected Reuben N. Stevens, a lawyer of Bismarck, Marshall H. Jewell, editor of the Bismarck Tribune, assisted by John G. Hamilton, of Grand Forks, to compile, codify and publish the edition of 1899. This edition being in turn exhausted, the Ninth Legislative Session in 1905 authorized another codification to be known as the Revised Codes of 1905. This was to be prepared under the general supervision of the governor, Elmore Y. Sarles, and secretary of state, Edward F. Porter, and in its general arrangement was to follow the compilation of the 1899 code, with the additional feature that it should contain annotations of the decisions of the Supreme courts of the Territory of Dakota, and the states of North and South Dakota, arranged by appropriate reference to sections construed or applied by these courts. All the decisions contained in the Territorial Reports and thirteen volumes of the North Dakota Reports, and seventeen volumes of the South Dakota Reports are annotated and incorporated in the compilation of 1905. The contract for the codification, annotation and publication of this compilation was awarded to Marshal H. Jewel, of Bismarck, who associated with himself Reuben N. Stevens, a lawyer of Bismarck, John G. Hamilton, a lawyer of Grand Forks, and Robert D. Hoskins, of Bismarck, then and for many years clerk of the Supreme Court of North Dakota.

COMPILED LAWS OF 1913

The period intervening between the publication of the Revision of 1905 and the Legislative Session of 1913, was prolific of statutes covering the subjects of irrigation, water rights, primary elections, initiative and referendum, board of control, management of the penal and charitable institutions, and a multitude of statutes putting into force and effect provisions of a progressive character, which had been enacted in compliance with the popular demand therefor.

This fact, coupled with the exhaustion of the 1905 edition, induced the Thirteenth Legislative Assembly, in the year 1913, to provide for the compilation of all general laws in force on the first day of July, 1913, by authorizing the secretary of state, Thomas Hall, to contract with the Lawyers Co-operative Publishing Co., of Rochester, N. Y., to codify, annotate and publish a compiled edition of the laws of North Dakota in two volumes, which were to be furnished to the state, its residents and various municipalities at the rate of $15.00 for the two volumes. The contract made with this company required not only the codification and classification of all the laws, but their annotation by reference to decisions of all the state, and United States, to the American Decisions, American Reports, American State Reports, Lawyers Reports Annotated, and the North Dakota Reports. The company fulfilled its contract and has published two volumes with annotations from the reports herein before specified and has divided each code into chapters and sections, which sections are consecutively numbered from 1 to 11,438 inclusive, and the secretary of state has accepted these volumes as the official compilation of the laws of the state.

CHAPTER XXVIII

THE SUPREME COURT

The constitution of the state, as submitted to the people and by them ratified, provides for a judicial system, consisting of supreme, district, county, and justice courts.

Police magistrates were to be chosen in cities, incorporated towns and villages.

The Supreme Court was to consist of three members, elected for a term of six years each and to hold office until their successors were elected and qualified.

An exception was made in the case of the judges elected at the first election under the constitution.

They were to be classified by lot, so that one should hold his office for two years; one for five years, and one for seven years. The lots were to be drawn by the judges themselves, and the result of the drawing certified to the secretary of state and filed in his office.

By a unique provision—and one peculiar to North Dakota—no chief justice was to be elected by the people, but the judge having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, should be the presiding judge of the court.

By this arrangement every judge elected for the full term would become the presiding judge before the expiration of his term.

This system prevailed until 1908, when, by constitutional amendment, the membership of the court was increased to five.

On January 15, 1909, the then governor, John Burke, appointed John Carmody of Hillsboro and S. E. Ellsworth of Jamestown as associate judges of the Supreme Court.

At the general election in 1910 three judges were elected for the full term of six years each.

The qualifications prescribed by the constitution for a judge of the Supreme Court were:

1. That he should be learned in the law,
2. Should be at least thirty years old,
3. Should be a citizen of the United States and shall have been a resident of the Territory of Dakota or of the state at least three years next preceding his election.

The comprehensive term, "learned in the law," in its final analysis, means nothing more than that the candidate has been admitted to practice law in the courts of this or some other state. The presumption being that the admission to practice law, in the courts of this state, disclosed such a knowledge of the law as to place the candidate in the class of one "learned in the law."

The first judges chosen at the election when the constitution was ratified by vote of the people in October, 1889, were Guy C. H. Corliss, of Grand Forks; Joseph M. Bartholomew, of La Moure, and Alfred Wallin, of Fargo. They were all elected for equal terms, and it became necessary then to determine by lot the length of term of service of each.

For the purpose of organizing the court and determining by lot the length of the term of service of each, these three judges met at Bismarck, the seat of government, and drew lots.

How the drawing was conducted was never made public, as the judges were required by law merely to certify the result and file the same in the office of the secretary of state. The result so certified discloses that Mr. Corliss drew the short term of three years from the first Monday in December, A. D. 1889, and by virtue thereof became the presiding judge, or the first chief justice in the state; Mr. Bartholomew drew the five-year term, and Mr. Wallin, the oldest in years of the three, drew the seven-year term.

At this same meeting a clerk and reporter of the court were appointed. R. D. Hoskins, of Bathgate, was appointed clerk in December, 1889, and has served continuously in that capacity since. Edgar W. Camp, of Jamestown, was at the same time appointed court reporter.

The duties and emoluments of these officers were such as might be prescribed by law and the rules of the Supreme Court not inconsistent with the law.

The clerk is the custodian of all the records of the court, viz.: briefs, pleadings, files, including all papers used on appeal.

He furnishes a syllabus of cases heard and decided to such daily newspapers of the state as care to publish them.

The syllabus of all cases decided in the Supreme Court must be prepared by the judge thereof who writes the opinion in the particular case.

Every point fairly arising on the record and essential to the proper determination of the case, must be decided by the court, be embodied in the opinion and covered in the syllabus.

In most appellate courts of the United States, including its Supreme Court, the syllabus of cases is prepared either by the clerk or the reporter, and it frequently happens that the syllabus and body of the opinion are at variance as to the questions determined, resulting from the failure of these officers to comprehend the opinion or understand and express in the syllabus in clear, pertinent language the law of that case as decided by the court and as stated by the judge who wrote the opinion.

The judge who writes the opinion knows what is decided in that particular case and is therefore properly equipped to prepare a correct syllabus.

The framers of the constitution made no mistake when they incorporated in that document the provision that syllabi should be prepared by the judges, who would, of necessity, be familiar with the controverted questions decided and the reasons upon which their determination turned.

The Supreme Court reporter prepares for publication, in books of not less than 550 pages, all decisions of the court, and includes in each case a brief statement of the points raised in the briefs of the appellant and respondent.

The Reports of recent years, however, have been copiously annotated by references to decisions of other courts wherein the same or kindred questions have been decided.

The Supreme Court had no legal home from its organization until 1909. It was a "migratory" court. The constitution had prescribed that three terms of court should be held each year, "one at the seat of government, one at Fargo, and one in Grand Forks." This arrangement continued until the passage by the legislative assembly, in February, 1909, of an act providing for two general terms to be held at the "seat of government," to be known as the April and October terms.

Special terms only may be held in cities other than Bismarck, the seat of government, upon twenty days' previous notice thereof in a newspaper published at the seat of government.

These special terms may be held elsewhere, when, in the opinion of the court, the public interests require.

Special terms have been held under this act in Grand Forks in June of each year, to receive the report of the State Bar Examining Board for the admission to practice law in this state of such persons as they found qualified and recommended. Special terms have also been held in Fargo for this same purpose.

All appeals from county courts with increased jurisdiction, or district courts, are heard and determined at Bismarck.

The constitution makes no provision for the appointment or election of a marshal or other officer for the service of any process issued by this court, or for attendance upon the court during its sessions. Accordingly, in 1890, the Legislative Assembly by act provided that the sheriffs of Burleigh, Cass and Grand Forks counties should act as marshals of the court when in session at their respective counties. These marshals were entitled to charge and receive the same fees and mileage for the service of process or other papers directed by the court to be served, and the same compensation for attendance upon the court, as is allowed by law to sheriffs; such fees, however, to be paid out of the state treasury, as other state expenses are paid.

The court was authorized to appoint the librarian of the law library to act as bailiff of the court, his duties to be prescribed by the court. The librarian, however, receives no additional compensation for any services he may render to the court. It is noteworthy here that the court has no librarian of its own, as the library remains, as in territorial days, in the custody of the secretary of state. The judges select the books to be purchased, but they are bought by the secretary of state out of any appropriation made therefor by the Legislative Assembly. The Assembly deserves criticism for failure to provide the court with its own librarian and in compelling it to use the librarian as a bailiff.

The judges are, to use the epigrammatic language of a citizen of Bismarck who investigated the matter when the proposition to increase the court membership to five was under consideration: "Worked like horses in harvest! They work unremittingly to keep up the calendar and avoid the delay which is incident to appellate practice." It is no eight-hour day with them.

While the Legislative Assembly has appropriated for stenographers for the judges, it has not been as liberal or as generous as the needs of the court justify.

The great increase in population and the large number of judicial districts in consequence thereof, together with giving the right of appeal direct from judgments and proceedings in county courts having increased jurisdiction, have added very materially to the number of appeals.

Judges who work continuously under high pressure and the stimulus "to keep up the calendar" cannot in nature render the highest and best service. It requires intense research and investigation to find the very truth in conflicting propositions submitted for decision. To illustrate: It is not unusual for the Supreme Court of the United States to have cases under advisement for months and even years. Their calendar of cases as a rule is about three years behind. This is caused by the fact that while one judge is assigned to write the opinion all the other judges investigate the case, have a consultation day each week when the case is thoroughly examined, and not until the individual judges have mastered the case and reached a conclusion as to the law is it published as the decision of the court.

Consequently lawyers prize very highly the opinions of the Supreme Court. They are invaluable as a true exposition of the law. State supreme courts do not and can not give such time to the consideration of cases submitted. The result is a different interpretation of the law in many of the forty-eight state jurisdictions, and frequent reversions and modifications of opinion as the temperament and predilections of judges differ.

LEGISLATION AFFECTING THE SUPREME COURT

At the general election in November, 1908, a constitutional amendment, increasing the membership of the court to five and which had passed two successive legislative assemblies, was adopted by the people and became an integral part of the constitution, while another amendment fixing the tenure of office at ten years, upon a submission to a vote of the people, was defeated.

The Legislative Assembly of 1909 provided for the office of chief justice and prescribed his duties. The judge of the Supreme Court having the shortest term to serve, not holding office by election or appointment to fill a vacancy, shall be chief justice and shall preside at all terms of the Supreme Court. If no member of the court is qualified for the office of chief justice under the foregoing provisions, then the judges of the Supreme Court shall select the chief justice. In the absence of the chief justice the judge having the next shortest term to serve, or a judge selected by the court, as the case may be, shall preside in his stead. This statute was necessary in view of the fact that when the membership of the court was increased to five, three judges were elected for the term of six years each and took office at the same time.

In the closing hours of the Legislative Assembly of 1909 there was enacted the non-partisan judiciary law. In brief it provides that in petitions or affidavits filed by or in behalf of candidates for nomination at primary elections for the office of judge of the Supreme or District Court, no reference shall be made to the party ballot or the party affiliation of such candidate. There shall be separate ballots containing the names of the candidates for the respective offices entitled "The Judiciary Ballot." The names shall appear without party designation, and there shall be stated thereon the number of judges each elector is entitled to vote for.

At the general election also there shall be a separate ballot known as the

"Judiciary Ballot," upon which shall appear the names of all candidates nominated at the primary election without party designation, but there shall be stated thereon the number of judges each elector is entitled to vote for.

The constitution prescribed that Supreme Court judges should receive such compensation for their services as might be provided by law, but such compensation should not be increased or diminished during the term for which a judge shall have been elected. But in view of the fact that the early court was of a migratory character, because terms were held at three different cities, the Legislative Assembly, in 1907, by act provided that each judge of the Supreme Court should receive the sum of $500 each year for traveling expenses and moneys expended by him while absent from home and while engaged in the discharge of his official duties, without requiring any itemized statement.

The annual compensation allowed to Supreme Court judges is $5,000.

The annual compensation allowed to the clerk of court is $2,000.

The annual compensation allowed to the reporter is $1,500.

Since statehood there have been six court reporters: Edgar W. Camp, of Jamestown, who edited and reported volume 1; R. D. Hoskins, who edited and reported volume 2; John M. Cochrane, court reporter from June 1, 1892, to January, 1902. He edited and reported volumes 3 to 10 inclusive; R. M. Carothers, who edited and reported volume 11. In March, 1909, the Legislative Assembly by law prescribed that the volumes of the Supreme Court reports should contain not less than 650 pages, exclusive of the table of cases and index, the pages to be 4½ inches in width and the volumes to be furnished the state and sold at $2.25 a volume.

A true and correct matrix of each report to be delivered to the secretary of state to be preserved by the secretary as a part of the records of his office.

F. W. Ames, of Mayville, edited and reported volumes 12 to 21 inclusive, and H. A. Libby, of Grand Forks, volumes 22 to 32 inclusive.

These are all the volumes issued up to September 1, 1916.

JURISDICTION OF THE SUPREME COURT

Under the constitution of the state the Supreme Court has appellate jurisdiction only, together with a general supervising control over all inferior courts. This control is restricted, however, by such regulations and limitations as may be prescribed by law.

The constitution further empowered the Supreme Court to issue original writs of injunction, mandamus, quo warranto, habeas corpus, and such other remedial writs as may be necessary in the exercise of its jurisdiction.

No jury can be allowed in the Supreme Court, but in proper cases where questions of fact must be settled before the court can finally decide the issues, it may certify such questions to a district court for determination.

In the meantime the decision of the court is held in abeyance until the findings of fact by the District Court are transmitted by that court for the information and guidance of the Supreme Court in its exercise of its appellate and supervisory powers.

The great prerogative writs of injunction, quo warranto and mandamus are the voice of the sovereign commanding to justice when ordinary judicial proceedings afford no speedy or adequate remedy, hence, to warrant the issuance of such original writs by the Supreme Court the interest of the state must be primary and paramount. There must exist a contingency which requires the interposition of the court to preserve the prerogatives and franchises of the state and the liberty of its citizens.

In cases where this original jurisdiction is invoked the action proceeds in the name and upon the relation of the attorney general and he acts only upon leave first obtained from the court, which leave is based upon a showing that the case is one of which it is proper for the court to take cognizance, the court judging of each controversy for itself.

The consent of the attorney general to an application for one of these original writs is not, however, an indispensable condition of its granting. It may issue upon the relation of a citizen presenting a petition showing prima facie that the attorney general is hostile to its issuance and that a peculiar exigency exists where the interests of the state at large are involved, or where its sovereign power has been violated or the liberty of its citizens endangered.

A statement or showing that they are collaterally involved in any proceeding or action is not sufficient. The court will refuse the writ unless it manifestly appears that the interests of the state at large are directly menaced.

The essence of appellate jurisdiction is, that it revises and corrects proceedings in a cause instituted and adjudicated in another tribunal, and, therefore, the court does not look with favor upon applications for original writs.

It prefers to review them after they have been granted or refused in the inferior courts. It will not hesitate to issue them, however, if the exigency is great, the interests of the state imperiled or the liberties of its citizens endangered.

The legislative assembly, by the enactment of the law for the trial of equity cases de novo in the Supreme Court, imposed a duty upon that court that is inconsistent and conflicts with its appellate jurisdiction.

The law, in effect, makes it a trial court. It does not provide for a review of erroneous rulings or the correction of mistakes of law in the inferior court, but requires the Supreme Court to wade through a voluminous record, containing usually a tangled mass of relevant and irrelevant testimony which the court below was powerless to exclude. The law is an innovation and not a reform or judicial procedure. It should be relegated to the "scrap heap" and equity cases be reviewed the same as other cases.

SUPREME COURT JUDGES

Our first Supreme Court was one of great ability. Perhaps it would not be extravagant or beyond the bounds of truth to say it was one of superior ability.

The frequent reference to their decisions, as clear interpretations of the law, found in the reports of other states, is proof of this.

Judge Corliss was not only thoroughly versed in the principles and theory of the law, but possessed also high literary attainments. He was familiar with the literature of the past and abreast of that of the day.

While occasionally in his opinions there is a tendency to display this knowledge in a fanciful and pedantic way, still, as a rule, he spoke with a logic that convinced and with a language that charmed. Judge Corliss resigned from the bench mainly because of the inadequacy of the compensation allowed to the judges. He formed a partnership with John M. Cochrane at Grand Forks and actively practiced law there until he located at Portland, Ore., some three years ago.

Joseph M. Bartholemew of La Moure, was elected a judge of the Supreme Court in October, 1889, and in the drawing of lots to determine the tenure of office of the members of the first Supreme Court he drew the five-year term. He was elected for the full term of six years in November, 1894, and retired from the bench in December, 1900. Immediately upon his retirement he resumed the practice of his profession at Bismarck, and died suddenly of heart disease at his home on March 24, 1901. The judge was a native of Illinois, having been born at Clarksville in that state on the 17th day of June, 1843. When he was about two years old his parents moved to Lodi in the State of Wisconsin, where he lived and received his early education until he arrived at the age of eighteen years when he entered the Wisconsin State University. He spent, however, but one year there, and when only nineteen years old enlisted in August, 1862, as a private in Company H, Twenty-third Wisconsin Volunteer Infantry. He was mustered out as a first lieutenant on November 14, 1865. He participated in the sieges of Vicksburg and Jackson, aided in capturing the forts at the mouth of Mobile Bay and fought in the battle of Chickasaw Bayou and Arkansas Post.

After the war he studied law in the office of Senator Allison, at Dubuque, Ia., and was admitted to practice in that city in 1869.

In 1883 he came to the Territory of Dakota, settling at La Moure where he continuously resided until his election in 1889 as one of the first judges of the Supreme Court of the State of North Dakota. When he was nominated for the Supreme bench he was comparatively unknown to the bar, and there was a fear among the members of the bar that he would not measure up to the requirements of the office, but that fear quickly disappeared when the court began to hear cases and render opinions. The opinions written by Judge Bartholemew show that he was a man of high intellectual attainment, with a profound knowledge and understanding of the great principles of natural justice and equity, which are really the foundation of all law, and that he was a man of original thought, of great learning and strong logical reasoning power. The opinions written by him while on the bench were a credit to himself, an honor to the court and to the state. They were always clear, concise, logical and convincing.

The memorial presented to the Supreme Court as a tribute to his memory says: "As a judge he has left upon the records of this state in his judicial opinions so many witnesses to his ability, learning, sound judgment, powers of reasoning and discrimination, conscientious research and study, and abiding love of equity, that other commendation of his judicial work is rendered superfluous. Breadth and solidity; mastery of legal and equitable principles; close and cogent logic; a beautiful, pure and clear style; and fullness of legal learning are found there, not as we catch occasional and momentary glimpses of the moon when the sky is overcast, but shining with a steady and unbroken radiance from every page of his judicial utterances. Is it a vain boast that we ask whether juridical history furnishes many judicial careers which in so short a time have achieved a more enviable success? We believe that he will be known in after days as one of the great judges of the state. Patient in hearing; exhaustive in research; deliberate in maturing his conclusions; without pride of opinion; always receptive of new light; self reliant and yet appreciating the value of precedent; gracious in his demeanor with the bar and his brethren of the bench; loved and respected by them all; far above even the suspicion of the possibility of any unworthy motive entering to disturb the incorruptible discharge of his judicial duty; he may well be described, and he will long be remembered as, an ideal judge."

Judge Alfred Wallin was a specialist in practice and procedure. His style of expression was at times stilted and ponderous, but was always luminous and correctly stated the law. His published opinions stand as a monument to his research, learning and ability.

Judge Guy C. H. Corliss was elected for the full term of six years commencing December, 1892. He resigned in 1898 and N. C. Young of Bathgate was appointed to serve the unexpired term, and was then elected for the term of six years, commencing in December, 1898, and was re-elected for the term commencing in December, 1904. He resigned the office in 1906 to become a member of the firm of Ball & Watson, general counsel for the Northern Pacific at Fargo. He has built up a large and lucrative private practice, in addition to that afforded as one of the attorneys for the Northern Pacific. Since leaving the bench he has interested himself in educational affairs. He was a member of the board of education at Fargo for some years, and a trustee of the University of North Dakota, but resigned this position, as his business interests demanded all his time and energy. The lawyers universally regretted his resignation from the bench. He had impressed the profession as a man of strong mental and moral fibre, who possessed not only intellectual conscientiousness but "saving common sense," and whose aspirations and ambition were to serve faithfully his country by correctly expounding the law applicable to the cases heard in his court. Briefly he filled this high office with fidelity, credit and distinction.

David E. Morgan of Devils Lake, served as judge of the Second Judicial District for the term of eleven years, covering the period from the beginning of statehood until November, 1900, when he was elected to the Supreme bench. He was re-elected in 1906 and was a member of that court until the 31st day of October, 1911, when, because of failing health, he deemed it his duty to the public and to the court to resign. He was the chief justice at the time of his resignation. In the hope that a change to the milder climate of California would restore his health he visited that state, but his recuperative powers were gone and he succumbed to the "Grim Visitor" and went to his final home May 11, 1912.

Judge Morgan was born in Coalport, Ohio, on the eighth day of November, 1849. His parents were natives of Wales. They moved to the State of Wisconsin when the judge was a child of tender years. His education was acquired in the public schools of that state, at Spring Green Academy, at the Platteville State Normal School and at the Wisconsin State University, where he spent a year pursuing a special course. He was elected three times as clerk of the District Court of Sauk County, Wisconsin, and during this time he studied law with Judges Remington and Barker at Baraboo, Wis. He was admitted to practice law in that state in 1879 and moved to Grand Forks in 1881 and was in partnership for a time with Arthur H. Noyes. When the Great Northern Railway extended its line to Devils Lake he moved there, in 1883 and formed a partnership with John F. McGee, who subsequently became a district judge in Minneapolis, Minn. He was elected district attorney of Ramsey County in 1884 and re-elected in 1886, and in October, 1889, was elected the first judge of the Second Judicial district.

Judge Morgan was not only a popular judge in that district because of his faithfulness in discharging the exacting duties of this position, but was also highly esteemed by the bar and the people because of his intense loyalty to the law and his devotion to the principles of liberty as enunciated in our Constitution and as interpreted by the fathers. He was a man of decided convictions, perhaps might be said to have been somewhat slow in reaching conclusions. Of delightful personality, of frank and attractive manners he impressed his constituency as a man who is inspired by the loftiest motives and one who endeavored to mete out equal justice to all.

The Bar Association of the State of North Dakota thus records its appreciation of the memory of Judge Morgan: "We regret the passing of the man of noble character, and the just and fearless judge. We regret that his life and official career could not have been prolonged to the end that his influence might be felt, in the court over which he so long presided, in the settling of new and vexing questions certain to arise incident to the new thoughts and ideas so rapidly developing in our political and industrial life. The great wisdom of the greatest judges of our country he may not have possessed, but legal learning and breadth of thought sufficient to comprehend underlying principles, together with a broad sense of justice, a full grasp of large equities, and abundant common sense, guided him instinctively to the right and contributed to the decisions in thirteen volumes of our reports, from which it will be said in the years to come, he was sound, able, and honest. Reviewing his twenty-two years of judicial experience, we do highly resolve to pay to his memory this tribute: With all his sympathies and love of humanity he was never so much the man that he forgot his duty as a judge, and with all his knowledge of law and precedent he was never so much the judge that he forgot his duty as a man."

John Knauf, of Jamestown, was appointed by Governor E. Y. Sarles to fill the vacancy occasioned by the resignation of Judge Young. He served until December 15, 1906, when he was succeeded by Charles J. Fisk, judge of the First Judicial District.

Mr. Knauf had been nominated by the republican convention held at Jamestown for supreme judge. The bar in the northern part of the state were clamorous for the nomination of Fisk and to take the judiciary out of politics, but the friends of Knauf effected a combination of delegates from the west and central portions of the state, sufficiently strong to nominate Knauf. Public sentiment was then ripe for a non-partisan judiciary. The people revolted and at the ensuing election, held in November, defeated Knauf and elected Fisk. Mr. Knauf returned to his home in Jamestown and resumed the practice of law.

Charles J. Fisk, of Grand Forks, who had for ten years served with conspicuous ability and fidelity as district judge of the First Judicial District, was elected in 1906 to fill the unexpired term of Judge Young, and was re-elected for the term of six years commencing December 15, 1910.

In political affiliations he is a democrat and is the only democrat ever elected to this court in the state. John Carmody of Hillsboro, a democrat, was, when the membership of the court was increased to five, appointed by Governor John Burke as associate justice. With these two exceptions the members of the court have been republican.

Judge Fisk has been an ideal judge. He has interpreted the law along broad lines and has avoided technical rules whenever in his judgment they conflicted with substantial justice. No consideration other than the merits has ever influenced him in the determination of cases. His profound knowledge of the law and his desire to expound it along just and equitable lines radiate from every page of his opinions. He has illuminated every branch of the law that was involved in cases heard before him, but has never paraded his learning, never indulged in flights of fancy or imagination, but has expressed his views of the law in simple, pertinent language that carried conviction of the soundness of his interpretation. His kindliness of disposition, his independence and impartiality, as well as his learning, have endeared him to the profession. The value of his services to the state cannot yet be correctly estimated. He is a candidate for re-election in November, 1916, being one of the six highest named in the primary in June as one of the judges of the Supreme Court, and it is to be hoped that the people at this election will recall his service to the state and, with a grateful appreciation thereof, will vote to retain him on the bench which he has graced and dignified all the years of his judicial career.

John M. Cochrane, of Grand Forks, was elected a judge of the Supreme Court for the term of six years in November, 1902. He died in office July 20, 1904. The republican state convention for the nomination of congressman and state officials was in session at Grand Forks at the time of his death. While Mr. Cochrane, after his election as judge, withdrew from active participation in the political affairs of the state, still, he attended this convention on July 20, 1904, as a disinterested spectator. He took no part in the proceedings of the convention, but was consulted by delegates as to the policy of the party and advised them in its selection of nominees for the different state positions. He had always maintained that it was not fitting for a man chosen from the active work of life to the exalted position of judge, to mingle in a partisan way in the politics of the state, but he was unable to resist the importunities and insistence of erstwhile friends and freely conferred with them and aided them in solving questions of polity. These were always private conferences. No persuasion or influence could induce him to serve as a delegate in the convention, or to participate in any way in its public deliberations. He believed that he had been sequestered from public affairs, so far as administration was concerned, and that his life was thenceforward dedicated to the interpretation of the law and in adjusting in a conscientious, fair and just manner the differences of litigants. He spent a few hours in these conferences, and returning to his home on July 20th he expired suddenly about midnight. So the immortal soul of the great Cochrane passed to the great beyond.

It was apparent to his friends before his promotion to the bench that death had marked him for an early victim. An insidious disease that baffled the highest medical skill had fastened its fangs upon him and was slowly but surely sapping his vitality. He faced that ordeal of suffering without dismay. It was the hope of his friends that removal from the excitement, strife and labor incident to court trials would prolong his life, and so they secured his elevation to the bench. Cochrane died a victim of overwork. He never knew how to play. Devoted to the interests of his clients, whether city, county, state or private, he spent long hours in exhausting study and research until he had mastered the case and was fully prepared to protect and defend the interests committed to his care. All his trusts he filled with the highest fidelity and with superior ability. His was a great and towering personality, and in exalted mental endowments he stood as a mighty rock in the sea.

The distinguishing quality of Mr. Cochrane's character was his humanity. He was intensely human, was not a saint and did not affect to be. He believed in the great essential virtues and had no patience with sham or pretensions. His favoritism was lofty and generous, his moral courage great, his sincerity in word, deed and thought absolute, but his intense love of humanity was the touchstone and basis of his character.

The resolutions of the Cass County Bar Association and those of Grand Forks County where he spent his life, which are recorded in the annals of the Supreme Court, are a worthy, fitting and truthful tribute to his memory. They are found in volume twelve of the Supreme Court Reports.

Edward Engerud was nominated by the republican convention then in session to fill the unexpired term of Mr. Cochrane, and he was elected judge in November following and re-elected for the term of six years in 1904 and resigned his office in 1907. Why he resigned an office whose duties and responsibilities he was well equipped to discharge he never publicly stated, but to intimate friends he made known the fact that financial considerations largely controlled. He was not in affluent circumstances, and with a family to maintain he deemed it advisable to retire from the bench and devote himself to the practice of law. No doubt the meager remuneration paid by the state, the uncertain tenure of the office, in view of the discontent and unsettled political conditions then prevailing in the state, contributed also to the decision. He formed a partnership and became the senior member of the firm of Engerud, Holt & Frame at Fargo. His reputation as a successful and resourceful trial lawyer was such that from the beginning of his return to practice his services were in great demand. In 1910 he was a candidate for United States senator to fill the unexpired term of M. N. Johnson, deceased, but was defeated for the nomination in the primary election by A. J. Gronna. Subsequently he was appointed by President Taft United States district attorney for the state, and he discharged the duties of this responsible office with rare ability and fidelity.

Burleigh F. Spalding of Fargo was appointed by Governor John Burke to fill the unexpired term of Judge Engerud. Mr. Spalding had been prominent in public affairs in territorial days. He was a member of the famous capital commission created by the Territorial Legislature in Yankton in 1883, which located the capital of the Territory of Dakota at Bismarck. He served with distinction in the convention that framed the constitution of the state, and was conspicuously efficient as a member of the joint commission to equitably distribute the assets and liabilities of the Territory of Dakota between the states of North and South Dakota. He served one term in Congress, but was defeated for renomination in the republican convention by a clique of ambitious malcontents from Cass County, reinforced by a group of delegates from the slope country. The slope country never forgave him for his failure to vote for Bismarck as the capital of the territory. Mr. Spalding was elected for the full term commencing December 15, 1908, but was defeated for re-election in 1914. Mr. Spalding's temperament is of judicial cast. He is well grounded in principles of the law, and he is logical and discriminating in applying these principles to concrete cases. His published opinions are expressed in terse, lucid language without any attempt at rhetorical effect. They are a plain exposition of the salient features of the controversy. He is both a sound and able jurist.

In November, 1910, Edward T. Burke, of Valley City, judge of the Fifth Judicial District, and Evan B. Goss, of Minot, judge of the Eighth Judicial District, were elected associate judges of the Supreme Court for the term of six years commencing in December, 1910. They defeated John Carmody and S. E. Ellsworth, the appointees of Governor John Burke.

At the primary election held on June 28, 1916, Judge Burke was selected as one of the six to go on the nonpartisan judicial ballot for election in November. Judge Goss was defeated in the primaries and retired from the bench in December, 1916.

The Farmers' Nonpartisan League, through its officers and executive committee, selected J. E. Robinson, of Fargo, L. E. Birdzell, of Grand Forks, and R. H. Grace, of Mohall, as their representatives on the supreme bench, and they were nominated in the primary and constitute three of the six whose names appeared on the judicial ballot at the general election in November, 1916. Chief Justice Fisk, Judge Burke and former Chief Justice Spalding are the other three. From these six the three receiving the highest number of votes in November would become the justices of the Supreme Court.

Birdsell, Grace and Robinson were chosen at the November, 1916, election.

On the 31st day of October, 1911, Chief Justice David E. Morgan, because of failing health, resigned, and Governor John Burke appointed Andrew A. Bruce, of Grand Forks, who was dean of the law school of the University of North Dakota, to succeed him. Mr. Bruce was elected for the six-year term beginning in December, 1912. He was both popular and capable as a professor of law. The graduates from the law school, who had located for practice in various sections of the state, supported him enthusiastically and he easily defeated Robinson, his rival. Judge Bruce had but little practical experience in the courts, but he had thoroughly mastered all departments of the law. His opinions, while subject to criticism because of their verbosity, are like a treatise in their exposition of the law applicable to the particular case—they exhaust the subject. Some of them are models of diction and learning and show long hours spent in study and research.

A. M. Christianson, of Towner, defeated Judge Spalding at the polls in November, 1914, and was elected for a term of six years. He has been an indefatigable worker since his election to the bench and has aided the court very materially in keeping the calendar up to date. He follows closely the lines of least resistance and adheres to the "beaten paths" as shown in the precedents. A rule established in a given case, though it may be severe and somewhat arbitrary and therefore not promotive of substantial justice in many cases before the court for adjudication, should not be religiously binding upon the court but should be waived, modified and adapted to the changed conditions of the times. Though Judge Christianson has a sharply discriminating, open mind that analyzes carefully every proposition submitted for his consideration and conscientiously investigates it, and the conclusions reached express his honest judgment of the law in that case, yet his close adherence to precedents makes him more of a "case" judge than an original expounder of underlying principles.

THE DISTRICT JUDGES

The district judges are twelve in number, as follows: 1st, Charles M. Cooley, Grand Forks; 2d, C. W. Butts, Devil's Lake; 3d, A. T. Cole, Fargo; 4th, Frank P. Allen, Lisbon; 5th, J. A. Coffey, Jamestown; 6th, W. L. Nuessle; 7th, W. J. Kneeshaw, Pembina; 8th, K. E. Leighton, Minot; 9th, A. G. Burr, Rugby; 10th, W. C. Crawford, Dickinson; 11th, Frank E. Fisk, Williston; 12th, James M. Hanley, Mandan.

THE BAR ASSOCIATION OF NORTH DAKOTA

The North Dakota Bar Association was organized at Fargo in the year 1899, soon after the admission of the state to the Union. Hon. Seth Newman, of Fargo, was its first president, and R. W. S. Blackwell, of La Moure, its first secretary. It had a very checkered career in the early years of its existence, as few lawyers outside of the Red River Valley and the larger towns in the central and western portions of the state enrolled as members of the association.

ITS PURPOSES

The objects for which the association was formed were:

1. To maintain the highest standard in the profession.
2. To promote professional fellowship among its members and the lawyers of the state.
3. To aid in the securing of good government in the state and nation.
4. To preserve inviolate the present high standard of the judiciary.

ORGANIZATION

All members of the bar of the state in good standing, who shall be accepted by the executive committee and who shall pay the yearly fee of $5 may become members of the association.

An executive committee consisting of the officers of the association, viz.: The president, vice president, secretary and treasurer, together with one person from each judicial district, who shall be appointed by the president, passes upon the qualifications of applicants for admission to the association. No lawyer can become a member of the association until his application has been approved by this executive committee.

The association meets at least once in each year, but whenever an exigency presents itself, the president may call a special meeting at the request of three members of the association.

The work of the association devolves upon three standing committees, viz.:

1. Committee on jurisprudence and law reform.
2. Committee on legal education and admission to the bar.
3. A disbarment committee.

It is the duty of the committee on jurisprudence and law reform to consider proposed amendments to the codes at each meeting of the association, to report the changes, if any, that have been made by the Legislature since the last meeting, also all modifications of the rules of practice that shall have been made by the Supreme Court, and to recommend such changes in the code and in the practice, as in the judgment of the committee tend to secure a proper reform of the laws.

It is the duty of the committee on legal education and admission to the bar to recommend to the faculty of the University of Law a course of study to be pursued as a qualification for admission to the bar, and to recommend to the Supreme Court a standard of education and qualification to be adhered to as prerequisite of admission to the bar.

The committee has recommended a three years' course of study as a prerequisite to admission and the passing of an examination on twenty-seven different subjects covering every branch of substantive law and practice as an essential qualification of admission to practice. These recommendations have been approved by the Supreme Court, and the result has been to give to the state in the past five years a large number of young lawyers well versed in the law and thoroughly equipped in the practice.

The disbarment committee consists of three attorneys who have supervision of all complaints made to the association against members of the bar of the state, whether members of the association or not.

It is their duty to investigate all such complaints when they are substantiated by affidavits or documentary evidence supporting the charges. They must fix a day for the hearing of the proofs of the charges, give the accused at least ten days' notice of such hearing and permit him to appear and produce before the committee any evidence he may desire to submit. The investigation must be made secretly and without any publicity whatsoever, and if the committee find from their investigation that further investigation is necessary, it is their duty to prepare and file in the office of the clerk of the Supreme Court an accusation in accordance with the provisions of the Revised Codes relating to disbarment, and see that it is presented in that court.

The Legislature has prescribed by statute that all complaints against members of the bar shall be referred to the Bar Association, and its officers and committees are clothed with authority to subpoena witnesses and administer oaths.

The expenses of conducting investigations and prosecutions are by law an absolute charge against the state. There is an annual appropriation of one thousand ($1,000.00) dollars by the state for this purpose, to be disbursed under direction of the Supreme Court.

The attitude of the association toward good government is well expressed by Hon. John E. Greene, of Minot, who was president of the association in 1912, and who in the annual address to the association at Jamestown, September 3, 1912, said:

"If we are to aid in securing good government, we must participate in every controversy, the issue of which may affect the stability and efficiency of any department of the government. Any law which threatens that stability and efficiency is an assault upon the justice which guarantees to every man that which is his due. And shall we, as ministers of justice, stand idly by while laws are made which tie the hands of her judges, disgrace her courts, and make mockery of the immutable principles which, in and by her name, have won every battle for human liberty, sanctified the noblest efforts, and crowned with amazing success the worthiest ambitions of men? Let it not be understood that the enactment of such laws is regarded as a necessary result of the present agitation with respect to governmental reforms. But we must not overlook the possibilities. History admonishes that the excessive zeal of advocates of radical measures has often so aroused the passions of the people that their action has reached extremes undreamed of by their most enthusiastic leaders. The existence of such conditions presents a rare opportunity for the bar, through conscientious and concerted action, to demonstrate its fidelity to the common good, and render worthy service to a somewhat bewildered people. It can be done by proceeding, with diligence and energy, to weed out from our laws those things which make it possible to defeat justice by delay; which hedge about the courts with a network of useless technicality in the matter of pleadings, objections, exceptions, assignments, and specifications of error, statements of the case, bills of exceptions, and many other things which bring no light or aid to courts or juries in determining the rights of litigants; things which make unjustly expensive the processes of appeal, and which make records on appeal confusing instead of helpful to the Appellate Court.

"If we can demonstrate to the people that it is the purpose of the lawyers of the state, acting through this association, to simplify the procedure and to shorten the time between the summons and the judgment, we shall not only help the litigant, but we shall help ourselves and satisfy the people that the bar deserves more consideration than it has had from them in recent years.

"Every lawyer knows that these reforms in matters of procedure are the things which the profession wants, and that reforms in other things to be mentioned later, are needed, but members of the profession have heretofore been indifferent to their own welfare, and to that of their clients, and so the reforms have not come. The people have also the right to expect from the bar direction and aid in securing upright and capable judges. It is the imperative duty of every lawyer, and of the county, district and state bar associations, to use every legitimate means to insure the selection, for such positions, of the men having the highest qualifications therefor. Neither partisanship nor any other consideration should deter the bar from taking the most advanced position in this matter. Our critics may accuse the association of mixing in politics if it undertakes to influence the judgment of the people in these things.

"We need not hesitate to plead guilty to the accusation. Under our system of state government the election of judges is a political affair of the highest order. And shall not that body of men which can best judge of the qualifications of lawyers for judicial office indulge in the politics which involves the selection of such officers?

"We may not, and we ought not, to suffer partisanship to enter into this question, but the politics of a judicial campaign is a thing apart from partisanship. In every such campaign, a bar association should be the most active, the most potent factor in it.

"The enactment of laws to shorten and make plain the highways of justice, and the selection of upright and wise men to administer justice according to those laws, are the things which, more than all others, give strength and stability to government.

"This association under its constitution stands pledged to aid in securing good government, and especially to the maintenance of the highest standard of the judiciary. Within the bar of the state exists the ability and the power to promote and attain these things, and if in the accomplishment of them we must resort to politics, it is incumbent upon the bar, by bringing those qualities into action, to demonstrate to the people of this state that it can be done, and that the bar is the cleanest and most progressive political power in the state.

"Steadfastly and earnestly pursuing such a course, we shall soon find the people of this state looking to us for guidance in these important concerns, with confidence in our loyalty to their interests as well as to our own. We owe it to ourselves and to the cause of justice to put ourselves into such a relationship to the people of this state and their government.

"It was my privilege last winter to hear one of the greatest of American lawyers and statesmen, when addressing a similar organization, use words which ought to kindle some enthusiasm in the heart of any lawyer. He said:

" 'We have believed, we have always believed, our fathers believed, our government is founded upon the belief, that for the weakest and the humblest, be he a criminal condemned to death, be he without friends, money or power, or influence, whoever speaks in the name of that justice which is superior to human desires and impulses and wishes, has behind him the power of the deliberate and mature judgment of the people in their sober moments, when the voice of the people is the voice of God. * * *

" 'There is one thing which above all others has seemed to me to make the advocate of essential value to the preservation of liberty and the maintenance of justice, and that is that he fears not the face of power. With all our shortcomings, with all the wide variation of character, and the many differing degrees of ability and force which are found in an association of lawyers like this, there is one thing among all the lawyers of America we are sure to find, and that is, that for the weakest, for the poorest, for the most unnoted and uncared for client, we fear not, not one of us, not the weakest of us, to assert rights against all overwhelming power whatever. So long as there exists in a civil community a great body of men who have that characteristic, liberty cannot die.' "

REFORM OF CIVIL PROCEDURE

The aim of the association is to have the civil procedure improved and simplified by rules of court rather than by legislative enactment. It realizes that legislative reform is a slow process, that it can be had only at long intervals, while such reform as the courts themselves have the power to apply can be had without delay. Small defects in procedure, or mere verbal inaccuracies, may render a law inoperative. Amendment by law of such defects or inaccuracies is of necessity slow, while reform by rules of court is elastic and defects and inaccuracies can be readily amended, modified and perfected as time and experience may demonstrate. The whole subject matter is peculiarly within the province of the judicial department, and it is to be hoped that the bar association will labor with the Legislature until it ceases to legislate on procedure and relegates the entire subject to the courts. The present tendency in North Dakota is toward making changes in and additions to our laws easier, and to invite into the field of legislative activity the entire electorate of the state. It is not surprising that those who are giving intelligent thought to questions of civil government should begin to devise plans for placing beyond the reach of legislative interference the subjects of practice and procedure in the courts.

Elihu Root, president of the Bar Association of New York, in 1911, commenting on this subject, said:

"Comparison between the two statutes reveals plainly the fact that for many years we have been pursuing the policy of attempting to regulate by specific and minute statutory enactment all the details of the process by which, under a multitude of varying conditions, suitors may get their rights.

"Such a policy never ends. The attempt to cover by express, specific enactment, every conceivable contingency, inevitably leads to continual discovery of new contingencies and unanticipated results, requiring continual amendment and supplement. Whatever we do to our Code, so long as the present theory of legislation is followed the Code will continue to grow and the vast mass of specific and technical provisions will continue to increase. I submit to the judgment of the profession that the method is wrong, the theory is wrong, and that the true remedy is to sweep from our statute books the whole mass of detailed provisions and substitute a simple practice act containing only the necessary fundamental rules of procedure, leaving all the rest to the rules of court. When that has been done the Legislature should leave our procedure alone."

Again in the same address, and referring to the practice under the New York Code as it now is, he said:

"Let me recall some of the effects of such a system as we now have, well known as they are to all of us. The system of attempting to cover every minute detail with legislation appropriate to every conceivable set of circumstances is to create a great number of statutory rights which the courts are bound to respect because they are the law; which suitors are entitled to demand because the law gives them. In some cases they may contribute to the attainment of justice. In other cases they may obstruct it. The courts cannot apply the rule of justice because they must apply the law. These artificial statutory rights become the subject matter of special litigation intervening between the demand for redress and the attainment of it."

OFFICERS SINCE ORGANIZATION

Presidents

Seth Newman, Fargo, 1899-1902.
James H. Bosard, Grand Forks, 1902-1904.
H. A. Libby, Park River, 1904-1906.
John Carmody, Hillsboro, 1906-1907.
S. E. Ellsworth, Jamestown, 1907-1908.
F. H. Register, Bismarck, 1908-1909.
Lee Combs, Valley City, 1909-1910.
Andrew A. Bruce, Grand Forks, 1910-1911.
John E. Greene, Minot, 1911-1913.
A. G. Divet, Wahpeton, 1913-1914.
John Knauf, Jamestown, 1914-1915.
B. W. Shaw, Mandan, 1915-1916.

Secretaries

W. J. Burke, Bathgate, 1899-1902.
W. H. Thomas, Leeds, 1902-1912.
W. H. Stutsman, Mandan, 1912-1913.
Oscar J. Seiler, Jamestown, 1913-1916.

CHAPTER XXIX

PROHIBITION

A brief statement of the sentiment of the Territory of Dakota prior to its division into separate states is essential to a clear understanding of the steps which led to the adoption by the Constitutional Convention of an article prohibiting the manufacture and sale of intoxicating liquors as a beverage, and providing for its submission for ratification or rejection, to a separate vote at the election which should be called for the adoption of the constitution.

Many people both of North and South Dakota were opposed to the license system for the sale of intoxicating liquors, which had been the policy of the territory from its creation. This license system made it possible for saloons to exist in every city, town and village of the territory. Saloons were everywhere, saloonmen were dominant political factors and were in many localities the controlling influence in the selection of county, city and school officers.

Temperance people denounced the lawlessness of the saloonmen and led by the Woman's Christian Temperance Union, inaugurated in the early 80's systematic work for the extermination of saloons and the eliminating of saloonmen as political powers in the territory. Their agitation and efforts in behalf of temperance awakened public sentiment and the Territorial Legislature chosen in 1887 was opposed to the license system and favorable to prohibition. It enacted a county local option law, and it was approved by the then governor of the state, Louis K. Church, on the 11th day of March, 1887.

A number of counties by vote substituted the prohibition policy for the license system and the battle for the banishment of saloons from the territory was earnestly waged, and the sentiment for absolute prohibition throughout the territory marched forward by leaps and bounds.

The Territorial Legislature which assembled at Bismarck in January, 1889, was favorable to prohibition. A bill providing for it throughout the territory was passed by the Council, but on the 22d day of February, 1889, the Congress of the United States had passed, and President Cleveland had approved, the so-called "Enabling Act," in which was a provision for the division of the territory, and its admission to the Union as two separate states.

OCCUPATION GONE

The Territorial Legislature wisely concluded its "occupation was gone" and therefore the House defeated the prohibition bill of the Council and relegated the entire subject to the prospective states. This bill was practically and literally a copy of the statute of Kansas on the subject, and was the foundation upon which was constructed the present prohibitory law of this state. The "Enabling Act" prescribed that the governor of the territory, the chief justice and the secretary thereof, should meet at Bismarck, the then capital of the territory, and divide it into twenty-five districts, as nearly equal in population as practicable, three delegates to be chosen from each district, who were to meet at Bismarck for the North Dakota Constitutional Convention. Prior to the Constitutional Convention there was an organization existing in North Dakota known as The North Dakota Non-Partisan Temperance Alliance, which took an active part in the selection and election of delegates favorable to the principle of prohibition. Under its auspices a state convention composed of about one hundred delegates convened at Grand Forks, to consider the question of prohibition.

After a full discussion and consideration of the question in all its aspects, this convention recommended that an article favoring prohibition be embodied in the constitution and submitted to the people as a separate proposition. They wanted an independent expression of sentiment, and did not desire that the final adoption of the constitution by the people be endangered. It feared that the saloon element in the state might combine with those opposed to statehood and thus defeat the constitution itself. This strategic move of the temperance forces impressed the delegates of the Constitutional Convention favorably, and the effort to embody prohibition in the constitution, to stand or fall with the constitution as a whole, was defeated by a substantial vote. The outcome of the election on the adoption of the constitution proved the wisdom of the temperance forces, as the article was adopted by the meager majority of 1,159, there being 18,552 for the adoption, and 17,393 against adoption. President Harrison issued his proclamation declaring that North Dakota had adopted a constitution, republican in form, with prohibition as a separate article thereof, and admitting it into the Union on the 2d day of November, 1889.

Upon the happening of this event, John Miller, who had been elected governor of the state, called the first session of the State Legislature to assemble at Bismarck on the 19th day of November, 1889, which continued its session up to and including March 18, 1890.

NON-PARTISAN ALLIANCE

In the meantime the North Dakota Non-Partisan Temperance Alliance had selected Charles A. Pollock, of Fargo, who for many years has been judge of the Third Judicial District, a recognized leader of prohibition sentiment, and a notably vigorous prosecutor of violators of the local option law; Robert M. Pollock, who had been a member of the Constitutional Convention, and chiefly instrumental in the passage of the prohibitory article; and George F. Goodwin, the first attorney-general of the state, and a known prohibitionist, as a committee to draft and submit for the consideration of the Legislature, a law which should prescribe regulations for the enforcement of the prohibitory article, and provide adequate penalties for its violation. The work of preparing this law devolved mainly upon Judge Pollock, and the ground work upon which he built the entire statute was the prohibition bill passed by the territorial council of 1889.

This bill was amended, modified and adapted to the different conditions prevailing in North Dakota, some provisions of the Iowa law on the subject were incorporated and a number of original propositions were added, especially the procedure in contempt cases. This procedure is found in no other law of the United States, and to Judge Pollock belongs the credit of originating and perfecting it. The law so prepared was introduced in the House, by Representative Haugen of Grand Forks, chairman of the temperance committee of the House, and is known on its records as House Bill No. 6. It was simultaneously introduced in the Senate by Senator Rowe of Cass County, who was also president of the Temperance Alliance, and it is known on the Senate Records as Senate Bill No. 1.

The House acted promptly and passed the bill with few amendments, the most important being that the law should take effect April 1st, instead of January 1st, as provided in the original draft. On December 12, 1889, it passed the House by a vote of 59 ayes to 1 nay, two members being absent and excused. It was in due course messaged to the Senate, where it successfully "ran the gauntlet" of dilatory motions and amendments. The principal amendment made in the Senate was to strike out "The Emergency Clause" making the law in force and effect July 1st. This amendment was concurred in by the House and the bill was enrolled, signed by the proper officers of the respective houses and presented to Governor Miller, who signed the same on the 19th of December, 1889. Thus promptly the Legislature obeyed the mandate of the fundamental law of the state and by statute law prescribed drastic penalties for its violation.

On July 1, 1890, the open saloon disappeared from the state, except in a few communities, where the local sentiment was adverse to prohibition. The reputable saloon men who had prospered under the license system, as a rule obeyed the law, closed out their business and moved to states where the license system was in vogue.

The lawless, disreputable and irresponsible persons opened "blind pigs" and supported, to a certain extent, by public sentiment in their locality, evaded the law and defied the authorities. Then a volunteer association was formed in the state, known as the State Enforcement League, which, in co-operation with the Woman's Christian Temperance Union, raised funds and vigorously made war upon these law breakers. Great credit should be given these organizations for their vigilance in suppressing this lawlessness, and in enforcing the statutory and constitutional provisions. Their members gave freely of their time and money, not only to exterminate saloons and blind pigs, but also to secure legislation strengthening and making more efficient the existing law. Representatives of these organizations attended the legislative sessions and defeated every attempt to weaken the law, or to submit the question of prohibition again to the vote of the people. Frank Lynch, a prominent business man of Cass County, was president of the Enforcement League, until he moved to California, when he was succeeded by R. B. Griffith, of Grand Forks, who has devoted much time from his business interests, and thereby contributed largely to the maintenance of law and order in the state.

Elizabeth Preston-Anderson, who has been president of the Woman's Christian Temperance Union since statehood, always attended the legislative sessions, where she worked without cessation, night and day, to prevent the repeal of the law, or a passage of a re-submission amendment to the constitution. She secured also much of the additional legislation which tended to strengthen the prohibitory law, and aid in its enforcement. The friends of temperance everywhere owe a debt of gratitude to this fragile little woman who successfully combated every movement of the liquor forces, which endeavored in a number of legislative sessions to modify the law by striking out its imprisonment provisions, and submit a constitutional amendment repealing prohibition.

AMENDMENTS

Among the amendments to the law was one passed in 1895 as to "Druggists' Permits." The county courts were authorized when petitioned by twenty-five reputable freeholders to grant a hearing upon notice to the public and if no protest was filed or objection made, to issue a permit upon the applicant filing a bond in the sum of $1,000, conditioned that he would sell and dispense intoxicating liquors according to the provisions of the prohibition law.

Then a statute was enacted defining intoxicating liquors so as to include any mixture that would produce intoxication and any liquors containing certain ingredients were to be considered intoxicating. But any liquors containing less than 2 per cent of alcohol by volume were declared non-intoxicating.

In 1903 under the administration of Governor Elmore Y. Sarles, a law offering a reward of $50, for the arrest and conviction of any violator of the prohibition law, was enacted, the reward to be paid by the county where the offense was committed. The results obtained under this law were unsatisfactory and it was repealed in 1909.

During the administration of John Burke as governor, the seizure and confiscation of liquors, either with or without warrant was authorized, providing, however, that this law should not apply to registered pharmacists. The publication and registration of the Federal special tax receipts was provided for and the importation of unusually large amounts of any liquors, wines or beer, was constituted presumptive evidence that the importation was a violation of law; soliciting orders for intoxicating liquors was declared unlawful and punishable as a misdemeanor. The owner of a building where intoxicating liquors were kept for sale and sold as a beverage was declared liable for its unlawful use. The issuance of druggists' permits was taken from the County Court and lodged in District Courts. Application was to be made and thirty days' public notice of hearing on the application were prerequisites of granting a permit, but physicians were permitted to prescribe liquors in cases of emergency, provided, however, one-half pint was prescribed for one sale and one delivery. Liquor advertising in any form was declared unlawful and the use of liquor on passenger trains and its use in any state institution forbidden, and the giving away and distribution of liquors to be used as a beverage was also declared unlawful. At this time the keeping of a place where any intoxicating liquors were sold was in a large portion of the state entirely suppressed, but the lawless element continued the sale of intoxicating liquors, especially during the harvest season, by hawking it in satchels, and from the pockets of overcoats, and in the administration of Governor Hanna, this system, properly known as "bootlegging," was declared a crime, punishable by imprisonment in the penitentiary for a period of six months to a year. The enforcement of the law was materially aided also by the passage of an act authorizing the attorney-general, his assistants, states attorneys and their assistants, to inspect the records of freight and express companies, and by providing a penalty for receiving or receipting for liquor in a fictitious name.

THE COURTS ACT FAVORABLY

The District courts of the state have consistently and uniformly upheld the law and meted out severe punishment to offenders. The Supreme Court has construed the law liberally and has held as constitutional all statutes passed to aid in its enforcement, except the law providing for the appointment of temperance commissioner, who had been given the powers of an assistant attorney-general, and of a states attorney. The Supreme Court holding in that case that such police powers were conferred exclusively by the constitution upon the attorney-general and states attorneys, and the attempt to confer these powers upon a commissioner was in violation of the constitutional provision.

It is not, however, within the purview of a historical article to analyze and comment upon the different provisions of this law. It is sufficient to say that for a quarter of a century it has stood the test of the courts where it has been fiercely assailed from every legal standpoint. Its constitutionality is now unquestioned, and its procedure is universally accepted as a proper and reasonable exercise of the police power of the state. It stands as a monument to the legal learning and the ability of Judge Charles A. Pollock, the father of the prohibition law.

In connection with the above this writer called upon Judge Pollock for a statement of his present views in relation to the effect and enforcement of the prohibition law. The following is his reply:

"FARGO, August 7, 1915.

"Col. C. A. Lounsberry,
"76 New York Ave. N. E.,
"Washington, D. C.

"My Dear Colonel: In response to your favor of the 3d will say that I am sending you under another cover a copy of my Manual of the Prohibition Law of the State of North Dakota. The first chapter you will see is devoted to a short history of the law, and I believe will cover generally what you want. Mr. Hamilton spoke to me recently at Grand Forks concerning the matter, and I called his attention to where he could get a similar book.

"In that book I made very little comment upon the personal matters involved. I might have added that the pens with which the law was signed were given to me and I sent them to my mother, Mrs. John Pollock, then living at Clinton, Iowa, as a Christmas present, giving her a life lease of the same. Upon her death, twenty years ago, they were returned to me and are now in my possession and I expect to turn them over to the historical society of the state. It is quite important to notice that only one vote was cast against the bill in the House and eight in the Senate.

"In addition to what was said in that connection, it might be well to note that immediately upon entering statehood and the passage of this law, the courts were compelled to wrestle with all questions growing out of its constitutionality, and certain matters with reference to statutory construction which would suggest themselves to the attorneys who were attempting to get their clients out of limbo when charged with unlawful sales.

"I know something about that litigation, for I think I was connected with it all, and it is my pleasure, viewed from this standpoint and period of life, to add that it was done without compensation, since the respect and loyalty of a splendid class of citizens through all these years have conferred the highest reward.

"It has always been my theory that liquor and larceny cases should be tried just alike. Since going upon the bench I have adopted that policy. The trouble is with liquor people they want a big advantage and feel piqued if the courts do not put them in a little higher class than other ordinary criminals. I am glad, however, to say that in at least a large part of the state that notion is fast passing away. In my district we have no more trouble in dealing with a liquor than a larceny case.

"I do not believe that a person charged with the crime of violating the Prohibitory Liquor Law should be convicted unless the evidence is sufficient, and very frequently I have been called upon to dismiss actions where the proof was not of the high grade required by law to convict. Sometimes the temperance people make the mistake in expecting the courts to convict without evidence or upon hearsay evidence. No successful enforcement of law can be ever accomplished upon that theory. This is an age when people are demanding a 'square deal,' and they ought to have it if possible.

"You have no idea what an improvement has come to our twin cities—Fargo and Moorhead—by the extermination of the saloons in Clay County. During the month of July, 1914, there were 439 arrests. During the month of July, 1915, there were but 31, and 28 of those occurred the first two days in July, which really constituted a part of the final wind-up of the saloon system. In other words, for the month of July, after July 2d, there were only three arrests. You probably know that during the last year in Moorhead there were over four thousand arrests.

"I have a feeling, Colonel, that prohibition has not only been a good thing for the State of North Dakota, but also that the state was fortunate in being able to set an example to other states in the Union and by such example have been able to demonstrate the possibility and the practicability of the prohibitory system of dealing with the liquor traffic. If you were to see my mail and observe the notes of inquiry coming from all over this country and others, you would feel persuaded that in this last statement I am correct. We have been as it were 'a city set upon a hill,' and the peoples of other cities and countries have been watching our movements. It was fortunate, therefore, that Maine, Kansas and North Dakota were able to stand during the crucial period when other states, which had previously adopted prohibition, were going back to their cups.

"You probably read in the paper of my sentence of one Hendrickson who plead guilty to the murder of his wife. That will give you my settled and determined conviction with reference to the American saloon after thirty-four years' contact with it, four of which in territorial days I was prosecuting attorney under the license system, and recently nineteen years as presiding judge of this district.

"In the month of June last I was asked by the editor of the Christian Advocate of New York (the leading Methodist paper of the country) to prepare an article on a quarter of a century of prohibition in North Dakota. It was published in the issue of June 27, 1915. I have, however, a copy which I enclose for your convenience.

"If you will turn to my history in the Manual you will see that I was chairman of the committee which framed the prohibitory law. I presume it is because of that that I am frequently styled in this state, though improperly, 'the father of the Prohibition Law.' You know that in all instances of this kind the chairman of the committee receives more honor than is his due, and especially if the measure has been one of great importance. For instance, Hobson is known as the hero of the Merrimac, and yet I presume the seven other fellows who were with him and whose names are forgotten, were just as heroic and did as valiant service as did Hobson, but Hobson happened to be the chairman of the bunch. Of course this is nothing against Hobson, but it rather illustrates a condition.

"You know full well that R. M. Pollock was a member of the Constitutional convention, while I was not. He was a member of the temperance committee of that body. Of course all interested persons both in and out of the Constitutional convention may have helped phrase the article in the Constitution, but only those who were in the convention, and especially those upon the committee, are entitled to credit for that work. I have frequently been introduced to public audiences as the one who prepared the Constitutional article. That is an error, although I did give all the advice that I had at hand with reference to it. You know that R. M. Pollock and I are not related.

"With reference to the law, having been a prosecuting attorney here at the See city of the Judiciary of North Dakota, because then we only had one judge for all this part of the state—Judge McConnell—it fell to my lot in the year 1887 to work out many of the problems in connection with the enforcement of the Prohibitory Law occurring that year under local option.

"With this experience naturally a large part of the work fell upon me, but I want to say that the people of North Dakota can never fully repay R. M. Pollock and George F. Goodwin, who was then attorney general, for the assistance they rendered in the final preparation of the law. It is but just to them, and I hope if you make any mention of the facts in your history you will not fail to accord full credit to them. I worked out the original plan of the law basing it upon the Kansas law and after getting a proposed law in shape I then presented it to the other members of the committee. We then worked over and wrought out the bill in the best manner and in the quickest time possible, and it is only fair to say for the committee that not one of them ever received one penny of compensation for what they did, and even paid their own expenses while in attendance upon the Legislature during the passage of the bill.

"After the matter was all assembled my wife (who was then doing all my typewriting) ran it off on the typewriter—making sufficient copies of the Bill for introduction into both houses, and use of the committees, and thus I have frequently said in a jocular manner that a 'woman wrote the Prohibitory Law of North Dakota.'

"With sincere regards I beg to remain, very respectfully,

"CHAS. A. POLLOCK."

SENTENCE OF ROBERT HENDRICKSON

Remarks of Judge Charles A. Pollock upon passing sentence upon Robert Hendrickson in the District Court, January 30, 1915:

"Divine and human law declare 'Thou shalt not kill.' You stand before the bar of justice confessing to have committed the revolting crime of murdering, in cold blood, the woman you promised to love, honor and protect. Another crime, that of attempted self-destruction, could justly be laid at your door. The innocent babe which came to bless your home has been robbed of a mother's tender care. You have pleaded guilty and now await the sentence of an offended law.

"It is a most solemn moment in the life of a court, when he is called upon to sit in judgment upon his fellow men. Murder and treason are kindred offenses. The one affects the individual, the other the State. Both alike are heinous and the penalty of death may be inflicted for either.

"Your only excuse in mitigation is that you were drunk when you committed the deed—a plea which can only be received to save you from the gallows.

"I do not know, and, under the present state of our law, I never want to know, who sold you the liquor, under the influence of which you committed this unnatural crime. Let that man's conscience bring such remorse that its energizing power will never let go until the largest possible reparation be made.

"Whoever he was, and wherever he may be at this sad moment; whether his place of business is in the well-adorned and highly decorated room where tempting viands appeal to the taste; where sweet music delights the ear and lulls to sleep the reasoning faculties; or whether it is in the lowest, dirtiest, man-abandoned, God-forsaken and death-dealing charnel-house of despair, where abides only thoughtless and sullen greed for gain, it matters not; before the bar of God, if not of man, he stands alike with you morally responsible for this horrible crime.

"The trouble is he is not here with you to receive a merited punishment.

"The statute says 'All persons concerned in the commission of a public offense, whether they directly commit the act constituting the offense, or aid or abet in its commission; or who by fraud, contrivance or force, occasion the drunkenness of another for the purpose of causing him to commit any crime, are principals in any crime so committed.'

"If your partner in this offense were here, he would plead by way of defense that he did not 'by fraud, contrivance or force' occasion your drunkenness—a plea which would have to be sustained.

"How much longer will the courts be deprived of authority to do complete justice between their fellow men? An enlightened and long suffering public will some day, and that very soon, rise in the majesty of their power, and demand that the Legislature strike out the words 'by fraud, contrivance or force' and 'for the purpose of causing him to commit any crime,' and boldly declare that he who *in any manner sells intoxicating liquor to another as a beverage,* under the influence of which a crime, whether of murder or of some lesser offense, is committed, is equally guilty as a principal in any crime so committed. Such a law would distribute the blame and place it upon all those responsible for the crime.

"The persons who, for business or other reasons, vote to permit the continuance of a traffic which robs men of their reason, increasing the liability of crime being committed, are in a measure responsible. Away with your mistaken notions of business necessity. It does not exist. Treason against the State stalks abroad in our midst. How much longer will the people permit both treason and murder, in order that there may be continued a system of dealing with the liquor traffic which preys upon the appetites and passions of men? A quarter of a century ago the good people of our state dissolved partnership with the accursed license system. The State of Minnesota still permits the evil. Her splendid western City of Moorhead, well located for business and containing some of the best people on earth, seems blind to the great wrong of the traffic in rum. We must suffer because of their inability to see. Most of the persons sent to the penitentiary by this court would not be deprived of their liberty, and our state would not be burdened with heavy expense for their care, had they not gotten drunk in the saloons of Moorhead. The time has come when this iniquity should be banished forever. You, who will suffer all your life because of your misdeed, may unconsciously by your act arouse public sentiment to the end that such offenses will not be repeated and that its contributing cause will be removed. It is devoutly to be wished that such will be the case.

"The sentence and judgment of the law is that you, Robert Hendrickson, be confined in the penitentiary at Bismarck at hard labor for, and during, the remainder of your natural life. Let judgment be entered accordingly.

"CHAS. A. POLLOCK, *Judge*."

A QUARTER OF A CENTURY OF PROHIBITION IN NORTH DAKOTA

BY JUDGE CHAS. A. POLLOCK, LL. D.

By your letter of the 25th inst. I am called to the witness stand. You want me to give evidence as to the results of prohibition in North Dakota. There is a vast distinction between testimony and evidence. The former is what a person says under oath, the latter what can be believed of such statements. A witness should be competent. That is to say, he ought to know from personal knowledge of the facts, about which he proposes to testify. A lack of method for gathering statistics renders it possible to put before the public many statements which, by reason of the incompetency of their authors, cannot be believed, and therefore ought not to be considered as evidence. In weighing the credibility of testimony we have a right to take into consideration the personal interest of the witness. When brewers and saloonmen give their testimony as to the failure of prohibition it is exceedingly appropriate to ask by what interest are they moved.

I must presume that you consider me competent to speak, else you would not make your request. Before statehood, under territorial law, the license system prevailed. In 1887 there was passed a county local option law, under which several of the counties in what now constitutes North and South Dakota went dry. In 1889 both states were admitted to the Union, each carrying in its constitution a prohibitory clause. Paragraph 217 of our constitution reads as follows:

"No person, association or corporation shall within this state, manufacture for sale or gift, any intoxicating liquors, and no person, association or corporation shall import any of the same for sale or gift, or keep or sell or offer the same for sale, or gift, barter or trade as a beverage. The legislative assembly shall by law prescribe regulations for the enforcement of the provisions of this article and shall thereby provide suitable penalties for the violation thereof."

In harmony with the mandates of this section the Legislature in December of that year enacted our present Prohibitory Liquor Law, which has remained upon the statute books with slight changes, made necessary as experience indicated, where improvements could be made.

It should be remembered that our penalties were adequate in the first instance. For the first offense the lowest penalty is $200.00 fine and 90 days in the county jail, the highest, $1,000.00 fine and one year in the county jail. For the second and each succeeding offense the penalty is not less than one and not to exceed two years in the penitentiary. By a recent amendment so-called bootleggers—persons who carry around on their person or in grips liquors for sale—are sent to the penitentiary for all offenses. The trouble in a large number of states where they attempt and fail to enforce the Prohibitory Liquor Law is, that the penalties have not been adequate. This mistake has made it possible for violations of the law to continue with impunity. Disgrace is therefore heaped upon the system because the remedial character of the law is not sufficient.

During the license days the saloon very largely controlled the politics of the territory. At that time we had one distillery and about eight or ten breweries in the territory now constituting North Dakota, all of which went out of existence with the advent of statehood. It should be remembered that we are largely engaged in raising cereals, which necessitates the incoming of a large horde of men during the harvest season. The rainy day was a serious problem to every farmer during the license period because at those times men would congregate in the little towns and villages, all of which had from two to ten saloons according to population. Business men were found to be friendly to the liquor interests and many of them were habitual drinkers. Stabbing affrays and murders were of frequent occurrence. Scant police protection could not afford relief. Court calendars were full of criminal business and the expense to the public was large. Business men were clamoring for no change, lest their sales would be injured, rents decreased and general stagnation follow. Young men grew up, feeling that the business of the saloonkeeper was respectable, and the open sesame to political preferment. In Fargo, with few exceptions, the followers of Blackstone, numbering about forty, were regular members of more than one bar. Many became habitual drinkers, and most of them were among the so-called moderate class. Six of the most brilliant now fill untimely graves—the direct result of the liquor habit.

Now, exactly the reverse condition exists. In Cass, my home county, there are sixty-five men entitled to practice. All of our leading lawyers, with rare exceptions, are total abstainers, and only three or four can be classed even as moderate drinkers. When we consider the influence which the lawyer can exert for good or evil, fortunate indeed is that community whose legal fraternity is composed of sober men. The sentiment of our business men has changed. They have found that money can be made without the help of the traffic. It is interesting to hear those who spoke loudest for the saloon now declare their opposition to its return. Indeed, they see and admit that conditions are better without than with the sale of intoxicating liquor; that rents have increased rather than diminished, and general prosperity prevails. The saloon has itself to thank for much of the success attained by the prohibitionists. Liquor men here, as elsewhere, had respect for neither law, ordinary decency nor common sense. Their law-breaking proclivities disgusted the people, and many who primarily had little faith in the principle of prohibition, flew to it as a relief from what they regarded greater evils. Law enforcement has traveled its weary way from a frail beginning to a point where an enlightened public conscience demands of public officials a full discharge of their duty. Everywhere in the twelve judicial districts of the state come encouraging reports that the judges, sheriffs and prosecuting officers do not wink at violations of law, and are positively and energetically attempting to stamp out crime. It is easily within the truth to say that in most of these districts the Prohibitory Law is as completely enforced as other criminal statutes, and in the others the difficulties of enforcement are fast passing away. When prohibition was adopted in North Dakota, we had a population of about 180,000. It was urged that if the prohibitory system was engrafted upon our statute books, the state would not develop. This statement, like others from the saloon source, has been shown to be untrue. We now have a population of about 700,000 and the per capita wealth of our people is approximately two thousand dollars—the highest of any state in the Union. South Dakota, when admitted to the Union, had something like 250,000 inhabitants. After having had prohibition for four or five years it returned to the license system. That state now has a population of less than 600,000. With us as the saloon interests decrease in a community the banks and trust companies increase. The last reports from our banking interests show a constant and healthy development, the aggregate deposits mounting up into the millions. Statements of the banks in Fargo alone show an aggregate of about $10,000,000. Fargo has grown from a city of 6,000 under the license system to one of 20,000 under the prohibitory. It has all modern improvements like heat, water works, paved streets, street cars, electric lights and every convenience attendant upon city life.

We have been pestered and annoyed by the shipping in of liquor from outside states under the interstate commerce laws. Since the passage of the Webb-Kenyon bill and the so-called Knox bill those evils are being reduced, but I am persuaded that the greatest relief will come to us by cleaning up in the last two weeks eighty-seven saloons, two breweries and twenty liquor distributing agencies in Polk and Clay counties, Minnesota, just next to us on the east, under the recent county option law just passed by the Minnesota General Assembly.

There was a time that North Dakota, with Maine and Kansas were the only prohibitory states in the Union. We felt quite lonesome then but the system was working so well and was so constantly gaining headway that we persuaded our people to remain in the prohibitory column. Thus we have been able to demonstrate the great possibilities for good following a dissolution of the partnership formerly existing between the state and the saloon.

It may be urged that liquor is still sold in North Dakota and from that it will be concluded that the prohibitory system is a failure. No such conclusion should be drawn. While under the interstate commerce law it is lawful to ship into our state liquor for private use, yet the amount which can thus be brought to the people yearly is so small as compared with what would come to them if the license system prevailed that we ought to compare them only by way of contrast. Suppose it may be conceded that two or three million dollars worth of liquor was sold in the state of North Dakota coming from outside during the last year—a fact which we do not concede except for argument's sake—what does that prove in view of the fact that if we had been a license state not less than twelve to fifteen million dollars' worth of liquor would have found its way into our state and been consumed by our people?

I claim that that system of dealing with the liquor traffic is the best which will reduce the use and sale of liquor to the minimum. Purely from an economic standpoint therefore, leaving out all moral questions, we have present in the State of North Dakota a complete demonstration that the prohibitory system is the best for the reasons which have just been stated. If to this may be added the moral phases everywhere shown, we are then emboldened to state that the influence upon the rising generation, upon politics, and upon the people generally has been uplifting and wholesome in the extreme.

Many of those who were most bitterly opposed to prohibition have been won over and are now planted firmly upon the side of the present system, convinced it is true against their will, but now firm in their new position because they cannot put aside what they see and know to have been fully demonstrated. They have in a large number of cases been manly enough to step forward and give utterance to the unshaken faith which they now possess. They declare that under no considerations ought we to permit the saloon to return within our borders. I have the written statement of most of our leading business men speaking from their view point of the beneficial effects of prohibition. Many of them were determined opposers of prohibition when it was adopted. Under these conditions it is the height of impudence for the liquor men to assert that our law has been a failure and therefore we ought to cause its repeal. If it is a failure it is because liquor has been sold in larger quantities and if that be true the vendors of such liquor do violence to their own interests by attempting to destroy such a valuable field in which to carry on their traffic. The simple answer is that prohibition has been a marvelous success. One method usually adopted by the liquor men in discussing the question is to find some spot in our state where law enforcement has not been very successful, exploit that through the press and insinuate that the whole state is like affected, therefore a failure. As well might you say that a person is a cripple and of no vital force, simply because upon one finger is a wart. The warts upon our body politic are fast disappearing, and if the people at large will pass the national constitutional amendment making it unlawful to manufacture and sell intoxicating liquors as a beverage, we will then demonstrate to the people of this country that North Dakota will be among the very first to fully demonstrate the great blessings attendant upon living under the prohibitory system. One of the best results of prohibition in North Dakota has been that many persons who formerly sold liquor have been forced out of a bad business and are now respected citizens engaged in legitimate employments. Many such cases have occurred. I know one man who was about down and out when he was finally thrust out of the saloon trade—and today is probably worth over a half million dollars made in a legitimate business. Besides he has the respect and has been honored politically by his neighbors and friends. Big of heart, his hand is always open to aid the needy, and the greatest enjoyment comes to him in helping to advance the best interests of the state. In a private letter to me he said: "In response to what you ask about prohibition in our city

(Fargo) and state, let me say that in my judgment it was a fortunate day when the prohibition law was adopted. When the question of changing from a license system to prohibition was first proposed in 1884, and for several years afterwards, I was bitterly opposed to prohibition, but I am now glad that the change was made and there is no man in the State of North Dakota that would fight the return of the saloon in any guise stronger than I would, should the occasion arise, and I do not believe the people of North Dakota will ever permit the saloon's return to our state." These words speak volumes. Where can the license system furnish such a fine example of redeemed manhood? That system which makes men and places them where they and their families can attain advancement, morally, intellectually and financially, ought to be preferred by every true lover of our republic. The success attendant upon the equitable remedies found in our law which results in closing the buildings where liquor is sold, for one year, has been turned with great force against gambling houses and the red light district. Like "blind pigs," they also are declared to be common nuisances and the buildings where the illegal traffic is carried on can be closed one year.

Speaking with reference to my own district, may I say that during the territorial days there were about one hundred and fifty saloons, while now there are none and have not been for twenty-five years. For the past twenty years only occasionally do we find a blind pig, which is the colloquial name for the stationary place where liquor is sold and which under the law is called a common nuisance. They are now a thing of the past. We are troubled occasionally with bootleggers, but by the recent amendment making it a penitentiary offense for them to sell, that phase of violation is becoming rapidly reduced. Their work occurs mostly during the harvest season and is carried out by men who go through the country carrying in their grips liquor which they personally dispense to the harvest hands. The farmers, however, are constantly on the lookout and with the telephonic communications which now exist, reports come in rapidly of such violations. When caught they rarely ever go to trial, but plead guilty at once and are sent immediately to the penitentiary. Twenty-five years under prohibition has brought to our people happiness and prosperity. It is unthinkable that we will ever retrace our steps upon this question.

PROHIBITION A GOOD SAMARITAN

The seamy side of the fur trade, the destruction of a noble race, and the baneful influence of the liquor traffic on humanity, has been brought out in glaring light in previous chapters. If the present world-war results in crushing the monstrous evil, the service to humanity will be worth its cost in blood and treasure.

The evil may well be typified as a thief, or thieves, who rob men of health, sense, sanity, substance, and opportunity, leaving the victim on the side of the road from Purpose to Accomplishment, stripped of his possessions, wounded and half-dead.

The incident referred to in St. Luke 10:30, illustrates the fate of many who visited Dakota towns in early days—brilliant men of talent, destined to shine in social, official or business life—and fell literally among thieves, who left them stripped, and in the condition of the unfortunate one found by the good Samaritan by the wayside.

It was such incidents as these that brought prohibition into the constitution of North Dakota, and which have resulted in strengthening and perfecting the law, whenever the need has been developed.

CHAPTER XXX

THE PRESS OF NORTH DAKOTA

BISMARCK TRIBUNE ESTABLISHED—A SEVEN-COLUMN FOLIO—FAIL TO BLUFF EDITOR—BUSINESS WAS GOOD—FARGO EXPRESS APPEARS—OTHER PAPERS—GRAND FORKS HERALD—THE PRESS IN 1882—PRESS OF 1886—PAPERS OF 1884.

BISMARCK TRIBUNE ESTABLISHED

Col. Clement A. Lounsberry established the Bismarck Tribune, the first newspaper published in North Dakota, July 6, 1873, the second number appearing July 11th and thereafter weekly without a break. Colonel Lounsberry had been employed as an editorial writer on the Minneapolis Tribune during the campaign of 1872 and through the following winter had reported the proceedings of the Minnesota Legislature for the Minneapolis Tribune and St. Paul Dispatch.

In 1868 Colonel Lounsberry was county auditor of Martin County, Minn., and engaged in the publication of the Martin County Atlas when his attention was attracted to the Northern Pacific Railroad, and he determined to establish a newspaper at the Missouri River crossing when the road should reach that point.

When the Southern Minnesota Railroad reached Wells he moved his paper to that point, where he published the Wells Atlas until 1872, when he accepted a position on the Minneapolis Tribune.

In the winter of 1872-73 he met Dennis Hanafin at St. Paul, who gave him a clear and definite account of the situation at the crossing, and on the adjournment of the Legislature he went to Fargo, reaching that point April 4, 1873. There was about a foot of snow at Fargo then, and nothing was doing on the Dakota extension beyond getting ready. He resumed his work on the Minneapolis Tribune till May, when he went to Bismarck, arriving there May 11, 1873. He completed his arrangements for the establishment of the Bismarck Tribune at that time and the material arrived by the first train in June, upon the completion of the road to Bismarck.

A SEVEN-COLUMN FOLIO

On its first appearance the Tribune was a seven-column folio, well filled with advertising, every business concern, including saloons, dance and gambling halls and sporting houses of every class being represented in the advertising columns.

Charles Lombard was foreman at the time the Tribune was established. Mark Kellogg, who represented the Bismarck Tribune and by arrangement through

Colonel Lounsberry the New York Herald, on the Custer Expedition to the Big Horn and was slain with Custer and his men, assisted in the editorial work on the early numbers. Amos C. Jordan was also connected with the Tribune later in the season, and Theodore F. Singhiser was a contributor. Lounsberry being absent, Jordan and Singhiser were responsible for the articles which led to the midnight raid on Bismarck by members of the Seventh United States Cavalry, resulting in the death of Dave Mullen.

Dave Mullen and Jack O'Neil were running a dance hall at Bismarck. There were several shooting scrapes at their place, some resulting fatally, and the Tribune editorially urged the formation of a vigilance committee to deal with the lawless characters, in the absence of any civil organization.

FAIL TO BLUFF EDITOR

Soon after the Tribune containing this article appeared both Mullen and O'Neil, heavily armed, approached the Tribune office. Colonel Lounsberry met them and said he had heard that they threatened to do some shooting on account of the Tribune's position; that if there was any shooting to be done the quicker it commenced the better it would please him; that he had heard bullets fly before. They said they had come to talk it over; that they had been run out of several places and they had come to Bismarck determined to go no farther; that they expected to die right there and to die with their boots on; that they looked upon every stranger as an officer hunting for them or as some one gunning for them, and were determined that no one should get the drop on them; that this accounted for some of the shooting; that they would try to avoid any unnecessary trouble but did ask that the editor refrain from inciting attacks upon them, which they thought articles of that kind might have a tendency to do.

The force of this argument was recognized. County organization followed in a few days and the evil was remedied to some extent. Both lost their lives as they had anticipated. Mullen was killed by the Seventh Cavalry which came in search of one accused of murder, when Mullen fired on them and was killed by a volley from the soldiers. O'Neil was killed later by "Paddy" Hall, who was lying in wait for him between two buildings.

The Northern Pacific closed the road from Fargo to Bismarck during the winter of 1873-74, the last train leaving early in October. Colonel Lounsberry returned to Minneapolis to report the Minnesota Legislature for the Minneapolis Tribune and St. Paul Dispatch, editing the Bismarck Tribune by telegraph, supplying by that method his editorial matter and a weekly synopsis of the news. Nathan H. Knappen was left in charge of the paper. The quartermaster at Fort A. Lincoln supplied the Bismarck postoffice with mail. Colonel Lounsberry left Bismarck by team the latter part of November, paying $75 for a team to take him from Bismarck to Jamestown, where he borrowed a team from the quartermaster at Fort Seward and drove on to Fargo, making the trip in six days. He carried the mail from Fort Lincoln to Fargo, and carried out a large amount of money to be expressed to the banks at St. Paul and Minneapolis, for the Bismarck merchants.

There were no settlers then between Bismarck and Jamestown, none between Jamestown and Valley City, and none between Valley City and Mapleton. Winter stations had, however, been made in dugouts or in the railroad buildings, so that the trip was made in reasonable comfort. It required two days by rail to reach St. Paul from Fargo, trains then stopping over night at Brainerd.

In 1874 George W. Plumley came to the Tribune, also from the Minneapolis Tribune, and had charge of its mechanical features for a time. E. W. Knight was with the Tribune three years following George W. Plumley.

BUSINESS WAS GOOD

There was no complaint as to a lack of business in 1873. The Tribune had a note of $400 due in St. Paul. Colonel Lounsberry collected enough on the way to St. Paul to pay the note and purchase a needed supply of stock and material.

When the Tribune was established M. C. Russell of the Brainerd Tribune, E. B. Chambers of the Glyndon Gazette and their wives, and W. B. Nickles of the Red River Star at Moorhead, with his sweetheart, came to Bismarck to see that the Tribune was properly ushered into the world. George Alfred Townsend came to Bismarck in a few days and made the Tribune's advertising pages a feature in his letter to the Chicago Tribune.

Marshall Jewell became interested in the Bismarck Tribune in 1878 with Stanley Huntley, of Spoopendyke fame, but their arrangement for the purchase failed and Mr. Jewell remained in charge of the job rooms until he became a joint owner with Mr. Lounsberry in 1881, in connection with the establishment of the Daily Tribune.

Mr. Lounsberry remained with the Tribune until 1884, when he sold to Mr. Jewell and later established the Journal, which was run as a daily during the first legislative session. Mr. Jewell remained at the head of the Tribune until his death, February 9th, 1911.

In 1873 Moorhead was the big town on the line of the Northern Pacific west of Duluth. Brainerd had largely moved to Moorhead or the crossing of the Missouri. Northern Pacific Junction, once the metropolis, had become little more than a memory, and Oak Lake and other towns on the line had entirely disappeared. Fargo was platted in 1872 and the Headquarters Hotel was built, but it was on an Indian reservation, and made little headway in the direction of town building until 1874. Glyndon was then nearly a deserted city.

E. B. Chambers had printed a few copies of the Fargo Express at Glyndon for A. H. Moore, with Capt. Scott Bonney editor, but it had not reached the point of being established as a North Dakota or Fargo newspaper, and was not regularly published. It was printed to show to the officers of the Wells Fargo Express Company that a paper had been established and to obtain a bonus. In this they succeeded and Mr. Fargo contributed $500 for the purchase of a printing press.

FARGO EXPRESS APPEARS

January 1, 1874, the genuine Fargo Express made its appearance. It was edited and published by A. J. Harwood, Gordon J. Keeney and E. W. Knight. That was the first newspaper in North Dakota in the Red River Valley and the second in the state. P. P. Wall, of Audubon, was the printer who installed the

Fargo Express and gave Messrs. Harwood, Keeney and Knight their first lessons as printers and in journalism. Mr. Knight completed his course of instruction in the art preservative on the Bismarck Tribune.

OTHER PAPERS

Later in 1874 A. J. Clark, from Wilton, Minnesota, established the Northern Pacific Mirror at Fargo. Messrs. Hubbard and Tylor became the owners of the Mirror and it was consolidated with the Fargo Express and Glyndon Gazette and became the Fargo Times, with E. B. Chambers editor. Chambers sold to E. D. Barker, and the Times was later consolidated with the Republican, established by Major A. W. Edwards and Dr. J. B. Hall about June, 1878, and the Republican later with the Forum.

In 1875 George H. Walsh established the Grand Forks Plaindealer, which became a flourishing newspaper under a varied management and was finally consolidated with the Grand Forks Herald.

In 1875, when George Walsh established the Grand Forks Plaindealer, he made much of the fact that the Plaindealer was the only paper published northwest of Fargo. Winnipeg was then known as Fort Garry and Pembina was noted for being the oldest town in North Dakota and the head of the customs district, having a collector while St. Paul had only a deputy.

In 1873 the Northern Pacific Railroad Company failed, bringing ruin to every interest dependent upon the successful construction of that railroad. A few farms were opened by keen-eyed speculators, who purchased the railroad lands with discredited railroad bonds, at a cost of about sixty cents an acre, gaining title to adjoining lands by methods which would not be permitted now by the United States Government; or by the various forms of scrip then on the market at about one dollar and twenty-five cents per acre.

The Jamestown Alert was established by E. H. and C. H. Foster, July 4, 1878, but had a precarious existence. It was suspended from July 17, 1879, till October 7th, of that year, when it was purchased by Marshall McClure, with financial assistance from E. P. Wells and J. J. Nierling. J. C. Warnock edited the Alert during the greater part of McClure's administration, until it was sold to W. R. Kellogg, March 6, 1886. Mr. Kellogg came to Jamestown from the Fargo Argus. Frank Tucker, a young lawyer, was associated with Mr. Kellogg for a few months. The Daily Alert was started February 14, 1881, and in the editorial announcement it was said: "Gentle reader, the Daily Alert is started to live," a prediction which proved true. It has never failed to appear excepting for a few weeks immediately prior to the sale to Kellogg. Warnock afterwards became associated with Will H. Burke in the publication of the Capital at Jamestown, established in February, 1882. R. W. Davidson, who was also associated with the Capital, was a son-in-law of J. C. Warnock. The publishers were afterwards Ellsworth & Davidson, later Ellsworth & Son, then Burgster & McElroy, who were the publishers when the state was admitted. It is printed daily and weekly. The German paper, Der Pioneer, established by A. Steinbach, at Jamestown, in 1883, published in the German language, was finally merged with a German paper at St. Cloud, Minn., and lost its identity.

Major Alanson W. Edwards came to Bismarck in 1876 with Thomas C. Platt and Senator George Spencer of Alabama, and went to the Black Hills. He returned to Dakota in June, 1878, and determined to establish the Fargo Republican. Returning to Chicago he associated himself with Dr. J. B. Hall and it was done. The Republican flourished for many years and was finally sold by J. J. Jordan to the Fargo Forum. Major Edwards remained with the Republican about one year, when he retired and established the Daily Argus, the first number of that publication appearing November 17, 1879.

The Argus took the lead of all other North Dakota newspaper establishments and built up an enormous business, extending to Minnesota and South Dakota, as well as to North Dakota points, erecting an office which later became the Hotel Martin. Probably no paper has ever wielded or ever will wield a greater influence in the politics of a territory and state than that exercised by Major Edwards through the Argus in its early days. Major Edwards remained with the Argus until 1891, when it passed into other hands, as the major put it at the time, under circumstances over which he had no control.

Retiring from the Argus in October Major Edwards and Horatio C. Plumley, who had been associated with him on the Argus, established the Fargo Forum, the first number of which appeared November 17, 1891, on the anniversary of the birth of the Argus. The Argus was never a paying venture after Major Edwards left it, and its bones now rest in peace, it having been sold to J. J. Jordan, who later established the Fargo Call, which he conducted successfully several years, and then sold to others.

There were many other newspaper ventures at Fargo, among them the Independent by C. A. Carson, which went into the Republican. The Evening Post, which was short lived, and the Moon and the Sun, and the Broadaxe. The Sun was published some ten years and was established by W. H. H. Matteson, sold to Fred Hendershot and finally died. Goldy West, at one time with the Argus, established the Sunday Bee. Its sweet life also passed away.

GRAND FORKS HERALD

In 1879 George B. Winship established the Grand Forks Herald, which has flourished from the beginning, and has been a clean and reputable newspaper, and is now published as both a morning and evening daily. That year Dr. H. W. Coe, Sr., established the Northern Pacific Times at Valley City, H. H. Young the Pembina Pioneer, Harry Robinson the Mandan Criterion, Delaney & Herbert the Caledonia Times, E. K. Morrell the Wahpeton Gazette, C. Brandt the Fargo Posten, C. H. Lineau the North Dakota Basunen at Hillsboro, W. R. Maize the Washburn Times, and Frank M. Cornell the Tower City Herald.

In 1880 the number of newspapers in Dakota had increased to 66 and in 1881 to 75, and in June, 1884, the Bismarck Journal spoke of having 160 Dakota newspapers on its exchange list. In the spring of 1880 James A. Emmons established the Bismarck Sun and A. DeLacy Wood the Signal at Caledonia. The Sheldon Herald was established by O. E. Hogue and the Hillsboro Banner by E. D. Barker.

M. Weisenberg established the Red River Posten. It passed into the hands of the Argus and John C. Miller became its editor.

The Broadaxe was established in the early '80s by Captain Egbert and associates and hewed to the line regardless of where the chips might fall for a time, but passed on to that land whence there is no resurrection for defunct newspaper establishments.

In 1881 Frank M. Winship established the News at Grafton; A. J. Smith the Times at Hillsboro; Chas. A. Everett the Star at Lisbon; F. H. Ertel the Pioneer, daily and weekly, at Mandan. The Eagle and Times was established at Mayville, the News at Acton and the Times at Grafton; these two were consolidated as the News and Times, and published by Upham & Winship; R. D. Hoskins established the Bathgate Sentinel; Burke & Saul the Jamestown Capital; R. I. Smith the Mayville Tribune; E. L. Kilbourne the Casselton Reporter; and W. G. McKean the Sanborn Enterprise.

THE PRESS IN 1882

January 26, 1882, the Bismarck Tribune said: "No better illustration can be given of North Dakota, and the general prosperity along the entire line of the Northern Pacific Railroad than to call attention to the daily newspaper establishments. Three years ago there was not a daily newspaper on the line. In 1880 Fargo was the first to come to the front in the establishment of the Daily Argus. Jamestown, not to be left in the matter of enterprise, next heralded the Daily Alert in the spring of 1881. Bismarck came in for the third place in April, 1881 (the Daily Tribune), followed by a second daily, the Republican, at Fargo, and the Daily Herald at Grand Forks. Duluth put in an appearance with the Tribune and a couple of months ago the Moorhead Daily Argonaut was born. Brainerd eyed jealously these institutions until last week when she, too, flaunted a daily to the breeze—the Tribune. Mandan will probably come in for the next position." And so it was, the Pioneer having been established that year.

The papers established in 1882 were as follows: The Bismarck Herald, by the Herald Printing Company; the Fargo Evening Post, by Fox & Sanborn; the Northwestern Farmer, by Daily & Mann; the Hamiltonian, at Hamilton, by Frank L. Mitchell; the Pioneer, at Hope, by the Hope Printing Company; the Pioneer, at Larimore, by Wm. Scott & Co., and the Leader, by E. J. Taylor; the Republican, at Lisbon, by W. R. Locke; the Inter-Ocean, at Mayville, by G. B. Thompson; the Record, at Valley City, by Baxter & Davidson; the Times, at Wahpeton, by C. P. Garred; the Leader, at Ellendale, by Wesley Moran; the Clipper, at Lisbon, by H. S. Harcourt; the Times, at St. Thomas, by J. P. Hager & Co., and the Republican, at Casselton, by Col. W. C. Plummer and S. J. Small.

The newspapers established in 1883 were as follows: The Cooperstown Courier, by E. D. Stair; the Carrington News, by J. Moreley Wyard; the Devils Lake Inter-Ocean, by H. C. Hansbrough; the Devils Lake Press, by A. M. Powell and H. M. Creel; the Dickinson Press, by J. F. Scott; the Jim River Journal, at Eaton, by C. H. Faulkner; the Ellendale News; the Fargo Sun; the Daily Broadaxe, at Fargo, by the Democratic Publishing Company; the Garfield Gazette, by W. W. Gilbert; the Devils Lake Globe, at Grand Harbor, by Farrell & Wagner; the Journal, at Grand Rapids, by Charles S. Cleveland; the Herald, at Hudson, by Robert H. Busteed; Der Pioneer, at Jamestown, by A. Steinbaugh; the News, at Lakota, by the Winters Printing Company; the Commercial, at Keystone, by L. H. Wilson; the Chronicle, at LaMoure, by C. C. Bowsfield, and the Progress, by W. G. McKean; the Mandan Times, by J. E. Cates; the Medford Messenger, by W. H. Mitchell; the Capital, at Michigan, by W. Fowler; the Teller, at Milnor, by Falley & Coffin; the Forest River Journal, by L. M. Mitchell & Co.; the New Rockford Transcript, by Hays & Fanning; the Niagara Times, by E. E. Conwell; the Oriska Benefit, by C. H. Bassett; the North Dakota Farmer, by C. E. and W. H. Stone; the Ransom City Pilot, by F. G. Tuttle; the Steele Herald, by Britton & Beech; the Dawson Globe, by Harl J. Cook; the Devils Lake News, by Nadeau & Carrothers. The Commercial was moved to Ellendale and Joe Chapple was editing the Grand Rapids Journal and Frederick Adams was publishing the Cooperstown Courier; W. D. Bates established the Park River Gazette; W. H. Ellis and E. S. Gilbert, the Port Emma Times; Ellsworth & Son, the Forman Item; Ellis & Brown, the Ludden Times; Robert H. Busteed, the Oakes Herald. C. F. Garrette was running the Washburn Times and H. C. Upham the Grafton News and Times.

In 1884 there were lively times at Bismarck in the newspaper field. Bismarck had been chosen the capital of Dakota, on which there was a hard fight by the South Dakota element. E. A. Henderson was running the Evening Capital; Colonel Lounsberry, the Journal; F. D. Bolles, C. F. Garrette and B. Glidden, the Leader; Palmer & LaShelle, the Advertiser, and J. A. Emmons, the Blade, and for a time during the period of Bismarck's prosperity the Tribune published both morning and evening editions, carrying the full Associated Press dispatches, and as a result of its aggressive work one after another of the opposition went down and the Tribune was left alone in the field.

In 1884, Farrell & Wagner moved their plant from Grand Harbor to Dunseith and established the Dunseith Herald; W. R. Bierly established the Northwest at Grand Forks; W. F. Warner, the Steele County Gazette; A. T. Packard, the Bad Lands Cowboy, at Medora; F. G. Tuttle, the Free Press, at Milnor; J. W. Shepperd, the Dakota Siftings, at Minnewaukan; Grant S. Hager, the Tribune, at Neche; Jay Edwards, the Headlight, at Northfield; H. C. Macororie, the Pilot, at Stanton; G. B. Vallandigham, the North Dakota Democrat, at Valley City; D. R. Streeter, the Emmons County Record; W. B. Kimball, the Yorktown Press; V. B. Noble and John W. Bennett, the Bottineau Pioneer; E. F. Sibley, the Towner County Tribune, at Cando; H. P. Ufford, the Dakota Blizzard, at Casselton; C. E. Stone, the Wheatland Eagle, and A. S. Bliton, the Wheatland Eagle. Rev. D. C. Plannette was publishing at Fargo the Pioneer Methodist.

In 1885, the Sheldon Enterprise was established by Mrs. D. M. Hogue; the Turtle Mountain Times, at Dunseith, by Beckham W. Lair; the Hoskins Herald, by J. W. Kenagy; the Cavalier County Courier, at Langdon, by C. B. C. Doherty; the Mandan Democrat, by Wm. Borgen; the Dakota Bladet, at Portland, by H. A. Foss; the Portland Inter-Ocean, by A. L. Hicks; the Steele Ozone, by E. S. Corwin; the Farmers' Alliance, at Valley City, by C. H. Bassett; the Mongo Star, by Rowe & Gordon; the Winona Times, by George J. Douglas; the Caledonia Times, by Dr. E. N. Falk. Col. C. W. Plummer was its editor for a time.

PRESS OF 1886

In 1886, the Ardock Monitor was established by J. K. Lyons; the Churchs Ferry Sun, by S. A. Nye; the Cooperstown Independent, by J. H. Vallandigham; the Fort Abercrombie Scout, by F. I. Smith; the Grand Forks Educational News, by A. B. Griffith; the Hamilton News, by McMillan & Muir; the McIntosh County Democrat, at Hoskins, by Orth & Stone; the Inkster Review, by A. B. Smith; the Mouse River Advocate, at Minot, by Frank W. Spear; the Homestead, Napoleon, by G. A. Bryant; the Milnor Rustler, by J. F. Bowins; the Sheldon Blade, by W. H. Milands; the Wahpeton Globe, by H. W. Troy; the Willow City Eagle, by Jacob P. Hager; the Pembina County Democrat, at Bathgate, by Lee & Woolner; the Ashley Democrat, by Lowhead & Bjornson; the Burlington Reporter, by J. S. Colton, with C. O. Blair as editor; the Drayton Echo, by J. K. Fairchild; the Grand Forks Morning Leader, by W. M. Grant; the Hunter Eye, by Charles E. Stone; the Lakota Observer, by Lampman & Kelly; the Sergeant County Rustler, by W. L. Straub; the Villard Leader, by R. H. Copeland.

In 1887, the newspapers established were the Bottineau Free Lance, by J. B. Sinclair; the Edgeley Mail, by George B., Brown; the Fargo Churchman, by H. P. Lough; the Normanden, Grand Forks, by H. A. Foss; the Hillsboro Press, by C. D. and E. M. Baeher; the Lidgerwood Broadaxe, by Shelby Smith; the Minot Rustler-Tribune, by Marshall McClure; the Rainey Buttes Sentinel, by M. L. Ayers; the Oakes Republican, by W. H. Ellis; the Rugby Advance, by David A. Briggs; the Rutland Journal, by L. E. Williams; the Rolette County Democrat, at St. Johns, by J. A. Minder; the Sherbrooke Tribune, by B. H. Simpson & Son; the Spiritwood Bugle, by Eagan & Gleason; the News & Stockman, at Towner, by Robert McComb; the McLean County Mail, by J. E. Britton; the Stark County Herald, at Dickinson, and the New Era, at New Rockford, by Canfield & Fanning.

In 1888, the Independent was established at Forman by Wm. Hurle; the Harlem Courier, by C. E. Graber; the Langdon Democrat, by A. L. Koehnstedt; the Milton Globe, by Fred Dennett; the Turtle Mountain Star, at Rolla, by Parsons & Fritz; the Sykeston Index, by Maddux & Dunn; the Coggswell Expositor, by T. B. Hurley; the Dawson Times, by the Times Publishing Company.

In 1889, the Williston Beacon was established by McGahn & Wilson; the Reporter, at Minot, by A. B. Fuller and J. L. Colton; the Record, at Cando, by A. B. McDonald; the Independent, at Carrington, by H. A. Hogue; M. H. Brennan was publishing the Devils Lake News; McCully & Orswald established the North Dakota Advocate at Grafton; F. W. Iddings, the North Dakota Presbytery at Grand Forks; Wm. Miller, the Graphic at Grandin; the Afholds Basunen was established at Hillsboro; the Leads News, by R. R. Bratton; the Minot Journal, by McGahn & Wilson; the Park River Witness, by J. Morely Wyard; the Patriot, at Valley City, by G. B. Vallandigham.

In 1890, A. B. Gray was publishing the Commonwealth at Bismarck; W. P. Moffett, the Bismarck Settler; the Devils Lake Stats Tidne was established by John D. Sieverson; the Fargo White Ribbon, by Anna S. Hill; the Gilby Globe, by E. F. Rea; the Walsh County Record, by Pierce & Woods; the Common

Schools, at Grafton, by A. L. Woods; the Independent, at Grand Forks, by E. B. Saunders; the Manvel Graphic, by W. Brandgent; the Tower City Journal, by Chas. S. Allen, and the Washburn Leader, by R. H. Copeland.

Among the leading editorial writers in territorial days were "Pat" Donan, the born boomer, and who lived to boom, and was usually employed by interests requiring booming in order to reach success, who was with the Fargo Argus about 1880. In his memorial to the Episcopal Convention at Philadelphia, in 1884, Donan said: "In June, 1880, there were but ten weekly newspapers and one daily (in North Dakota); in June, 1883, there were eleven dailies, forty-two weeklies and six monthly publications, and new ones have been established at the rate of from one to three a week ever since, to supply the demands of an intelligent newspaper reading people daily growing in numbers."

PAPERS OF 1884

In 1884, the Bismarck Journal, edited by Colonel Lounsberry, said of the newspapers on its exchange list, then numbering 160, published in Dakota: "They present a remarkably neat appearance and in the main are ably edited by as loyal a set of fellows as ever boomed a new country."

In territorial days the North Dakota press was united. There was little of personal controversy among the publishers or editors. They stood together for the common good, united in their labors for the development of North Dakota and for the division of Dakota and the establishment of a state from the northern part.

At one time there seemed to be opposition in the northern part of the state to the admission of South Dakota, and from that day to this some members of the press have stood in a false light. The facts were these: In 1882, a convention met at Fargo, and named twenty-two delegates to go to Washington to labor for the division of Dakota. They chartered a Pullman car and went in a body. They gathered and published statistics and were making good headway for the division of Dakota, when a delegation came from the southern part of the state with the Sioux Falls Constitution demanding the admission of South Dakota, relegating the governor and territorial officers to the northern part of the territory, but denying them a share in the name which North Dakota wheat fields had already made famous. They antagonized the division of Dakota unless it carried with it the admission of South Dakota as the State of Dakota. Both failed, and the North Dakota delegation went home declaring that there should be no division until both could come in as states, and that when they did come in North Dakota should be named first in the bill. And so it was. From that time on, for some time, the Bismarck Tribune carried the words "North Dakota" in its date line.

NEWSPAPERS IN NORTH DAKOTA, DECEMBER 30, 1916

LIST BY COUNTIES, WITH NAMES OF PUBLISHERS

Adams.—Haynes Register Gazette, Haynes, Mary Mack; Adams County Record, Hettinger, Record Printing Co.; Hettinger Journal, Hettinger, M. A. Fuller; Western Call and Reeder Times, Reeder, Fuller Printing Co.

Barnes.—Daily Times-Record, Valley City, Greenwood & Houghtaling; Fingal Herald, Fingal, I R. Lisle; Hastings Times, Hastings, Ray P. Colburn; Kathryn Recorder, Kathryn, Arthur Abrahamsen; Litchville Bulletin, Litchville, Nelson & Jongeward; Nome Tribune, Nome, Roy P. Allison; Rogers Citizen, Rogers, Leo Ratchiff; Sanborn Enterprise, Sanborn, William McKean; North Dakota Patriot, Valley City, G. B. Vallandigham; Valley City Courier, Valley City, P. R. Trubshaw; Weekly Times Record, Valley City, Greenwood & Houghtaling; Wimbledon News, Wimbledon, A. F. Steffen; Dazey Commercial, Dazey, Leo Ratcliff.

Benson.—Brinsmade Star, Brinsmade, John Lindelien; Esmond Bee, Esmond, H. P. Allison; Knox Advocate, Knox, T. L. Delameter; Leeds News, Leeds, Charles B. Dean; Maddock Standard, Maddock, Standard Printing Co.; North Dakota Siftings, Minnewaukan, William Miller; Warwick Weekly Sentinel, Warwick, Francis Xavier Kirsch; York Citizen, York, Andrew W. Mavis.

Billings.—Fryburg Pioneer, Fryburg, Gerald P. Nye; Billings County Herald, Medora, L. A. Warner.

Bottineau.—Antler American, Antler, Walter R. Lee; Bottineau County News, Bottineau, F. C. Falkenstein; Bottineau Courant, Bottineau, Bottineau Co-Op. Pub. Co.; Lansford Journal, Lansford, Frank C. Nye; Maxbass Monitor, Maxbass, W. O. Hales; Omemee Herald, Omemee, Matt. Johnson; Overly News, Overly, Al. Van Dahl; Russell Sentinel, Russell, J. H. Pittman; Souris Messenger, Souris, Souris Publishing Co.; Westhope Standard, Westhope, A. J. Drake; North Dakota Eagle, Willow City, T. C. Michaels.

Bowman.—Bowman Citizen, Bowman, George A. Totten, Jr.; Bowman County Pioneer, Bowman, W. H. Workman; Rhame Review, Rhame, H. N. Lynn; Scranton Register, Scranton, Scranton Publishing Co.; Gascoyne Gazette, Gascoyne, W. C. Smith.

Burke.—Bowbells Tribune, Bowbells, B. A. Stefonowicz; Columbus Reporter, Columbus, Harold B. Meyers; Flaxton Times, Flaxton, Hoyt Brothers; Lignite American, Lignite, Carl V. Torngren; International, Portal, Hoyt Brothers; Powers Lake Echo, Powers Lake, George B. Gee.

Burleigh.—Bismarck Tribune, Bismarck, Tribune Publishing Co.; Staats Anzeiger, Bismarck, Bismarck Printing Co.; Baldwin Bulletin, Baldwin, F. Pfaff; Palladium, Bismarck, Palladium Publishing Co.; Public Opinion, Bismarck, Northwestern Press Association; McKenzie Gazette, McKenzie, C. W. Malmquist; Regan Headlight, Regan, H. W. Walker; Wing Statesman, Wing, C. A. Stratton.

Cass.—Fargo Daily Courier-News, Fargo, Nonpartisan Publishing Co.; Fargo Forum, Fargo, Forum Publishing Co.; Buffalo Express, Buffalo, J. U. Pavlik; Casselton Reporter, Casselton, Potter & Potter; Davenport News, Davenport, H. G. Broten; Co-Operators Herald, Fargo, A. M. Baker and R. V. Fyles; Fargo Blade, Fargo, J. J. Jordan; Fargo Forum and Weekly, Republican, Fargo, Forum Publishing Co.; Fram, Fargo, I. H. Ulsaker; Nonpartisan Leader, Fargo, Herbert Gaston; North Dakota Democrat, Fargo, George W. Wilkinson; Search-Light, Fargo, L. H. Ulsaker and A. T. Cole; Hunter Herald, Hunter, F. O. Eberhardt; Kindred Tribune, Kindred, N. H. Johnson; Leonard Journal, Leonard, Victor E. Swanson; Page Record, Page, W. L. Brown; Tower City Topics, Tower City, George J. Heinze.

Cavalier.—Calio News, Calio, Al Van Dahl; Calvin Times, Calvin, G. D. Arnold; Moon, Hannah, S. J. A. Boyd; Cavalier County Republican, Langdon, Forkner & Groom; Courier Democrat, Langdon, A. I. Koehmstedt; Milton Globe, Milton, Ernest L. Peterson; Munich Herald, Munich, Norris H. Nelson; Osnabrock Independent, Osnabrock, W. J. Storie; Sarles Advocate, Sarles, Carl L. George; Wales Progress, Wales, P. C. Glidden.

Dickey.—Dickey County Leader, Ellendale, H. J. Goddard; Forbes Republican, Forbes, J. N. Nagel; Monango Journal, Monango, J. H. Nagel and J. M. Field; Oakes Journal, Oakes, Roy A. Bast; Oakes Times, Oakes, Alex R. Wright.

Divide.—Alkabo Gazette, Alkabo, Simmons and Standeford; Ambrose Tribune, Ambrose, A. L. De Witt; Crosby Review, Crosby, W. H. Ware; Divide County Journal, Crosby, Divide County Pub. Co.; Fortuna Leader, Fortuna, James B. Hedges; Noonan Miner, Noonan, Calvin L. Andrist.

Dunn.—Dunn Center Journal, Dunn Center, C. J. Doherty; Spring Valley Times, Dunn Center, R. W. Robertson; Halliday Promoter, Halliday, T. Leroy Evans; Killdeer Herald, Killdeer, I. L. Doherty; Killdeer Tribune, Killdeer, Charles E. Palmer; Dunn County News, Manning, T. Leroy Evans; Dunn County Settler, Manning, I. L. Doherty; Werner Record, Werner, A. N. McDonald; Dodge Dispatch, Dodge, Ranney Publishing Co.

Eddy.—New Rockford State Center, New Rockford, New Rockford Pub. Co.; Eddy County Provost, New Rockford, P. M. Mattson; Transcript, New Rockford, A. C. Olsen; Sheyenne Star, Sheyenne, C. C. Manning; Northwestern Agriculturist, New Rockford, Worst & Southard.

Emmons.—Braddock News, Braddock, F. B. Streeter; Emmons County Republican, Hazelton, Ralph C. Colburn; Emmons County Free Press, Linton, J. M. Stewart; Emmons County Record, Linton, F. B. Streeter.

Foster.—Carrington Record, Carrington, H. C. Darland; Foster County Independent, Carrington, George P. Collins; Grace City Gazette, Grace City, J. D. Peterson; McHenry Tribune, McHenry, John B. Howard.

Golden Valley.—Beach Advance, Beach, Charles I. Cook; Golden Valley Chronicle, Beach, C. T. Bolstad; Golden Valley Progress, Beach, Richard Bros.; Sentinel Butte Republican, Sentinel Butte, Walter A. Shear.

Grand Forks.—Grand Forks Herald, Grand Forks, Grand Forks Herald Co.; Grand Forks Independent, Grand Forks, Mrs. Alice Nelson Page; Normandan, Grand Forks, P. O. Thorson; Progressive Observer, Grand Forks, P. O. Thorson; Weekly Times-Herald Grand Forks, Times-Herald Pub. Co.; Inkster Enterprise, Inkster, William Roche; Larimore, Pioneer Printing Co.; Northwood Gleaner, Northwood, D. L. Campbell; Reynolds Enterprise, Reynolds, Kenneth B. Williams.

Grant.—Carson Press, Carson, J. C. Bell; Elgin Times, Elgin, A. R. Knight; Leith Index, Leith, C. H. Samuelson; New Leipzig Sentinel, New Leipzig, Vitze & Williams; Raleigh Herald, Raleigh, Selmer H. Tovaas; Shields Enterprise, Shields, F. A. Shipman.

Griggs.—Binford Times, Binford, C. E. Peterson; Griggs County Sentinel Courier, Cooperstown, H. S. Rearick Publishing Co.; Hannaford Enterprise, Hannaford, P. A. Anderson; Sutton Reporter, Sutton, F. S. Marrs.

Hettinger.—Bentley Bulletin, Bentley, Hazel Little; Burt Echo, Burt, Morton Little; American German, Havelock, J. N. Fulton; Mott Pioneer Press, Mott, Elmer Enge; Mott Spotlight, Mott, John T. Charmley; Hettinger County Herald, New England, Connolly Bros.; Regent Times, Regent, Frank E. Ellickson.

Kidder.—Pettibone Spectator, Pettibone, F. G. Jennings; Robinson Times, Robinson, M. F. Flaherty; Steele Ozone, Steele, H. S. Wood; Tappen Journal, Tappen, H. S. Wood; Tuttle Star, Tuttle, Henry S. Wood; Dawson Press, Dawson, B. G. McElroy.

LaMoure.—Dickey Reporter, Dickey, H. D. Mack; Edgeley Mail, Edgeley, W. S. Hancock; Jud Leader, Jud, A. L. Ravely; Kulm Messenger, Kulm, Peterson Bros.; LaMoure County Chronicle, LaMoure, H. R. S. Diesem; LaMoure Echo, LaMoure, C. C. Lowe; Marion Sentinel, Marion, N. N. Hermann.

Logan.—Burnstad Comet, Burnstad, Wm. L. Jackman; Napoleon Homestead, Napoleon, O. F. Bryant; Gackle Republican, Gackle, W. S. Hancock.

McHenry.—Anamoose Progress, Anamoose, W. H. Sample; Balfour Messenger, Balfour, Edwin J. Carlen; Bantry Advocate, Bantry, Charles F. Varty; Drake News, Drake, Edwin J. Carlen; Granville Herald, Granville, C. R. Kendall; Towner News-Tribune, Towner, D. R. Carlson; Upham Star, Upham, C. C. Morrison; Velva Journal, Velva, W. H. Francis; Deering Enterprise, Deering, Fred Roble.

McIntosh.—Ashley Tribune, Ashley, C. C. Lowe; Wishek News, Wishek, German American Print. Co.

McKenzie.—McKenzie County Chronicle, Alexander, J. H. McGarry; Arnegard Call, Arnegard, Mrs. Lee Jenkins; Charbonneau Herald, Charbonneau, A. M. Young; McKenzie County Journal, Charleson, S. Th. Westdal; Fairview Tribune, Fairview, C. H. Mumby; Grassy Butte Advertiser, Grassy Butte, Wm. Campbell Dennison; Rawson Tribune, Rawson, A. R. Jones; Schafer Record, Schafer, W. S. Graham; Watford Guide, Watford, W. S. Graham.

McLean.—Benedict Banner, Benedict, W. T. Cooper; Dogden News, Dogden, E. E. Cowell; Garrison Advance, Garrison, T. L. Stanley; McLean County Independent, Garrison, Currier Bros.; Max Enterprise, Max, F. E. Wright; Mercer Telegram, Mercer, E. M. Plowman; Ruso Record, Ruso, E. E. Cowell; Turtle Lake Wave, Turtle Lake, E. J. Jones; Times, Underwood, John Satterlund; Washburn Leader, Washburn, John Satterlund; Wilton News, Wilton, G. W. Stewart.

Mercer.—German American, Golden Valley, L. E. Dreveskracht; Hazen Star, Hazen, J. C. Schleppegrell; Mercer County Republican, Stanton, C. F. Schweigert; Stanton Post, Stanton, O. A. Schreiber; Zap Enterprise, Zap, Donald McCord; Beulah Independent, Beulah, A. D. Brown.

Morton.—Mandan Daily Pioneer, Mandan, Pioneer Publishing Co.; Flasher Hustler, Flasher, J. K. McLeod; Glen Ullin News, Glen Ullin, Wallace R. Hall; Hebron Herald, Hebron, W. P. Thurston; Hebron Tribune, Hebron, Geo. J. Landon; Mandan News, Mandan, News Printing Co.; Mandan Pioneer, Mandan, Pioneer Publishing Co.; Mandan Republican, Mandan, S. A. Young; New Salem Journal, New Salem, Edward Sullivan.

Mountrail.—Mountrail County Herald, Blaisdell, Mrs. Katharine McCann; Palermo Independent, Palermo, S. B. Eidsmoe; Parshall Leader, Parshall, David Larin; Plaza Pioneer, Plaza, Geo. J. Smith; Ross Valley News, Ross, John S. Patterson; Sanish Pilot, Sanish, J. S. Patterson; Sanish Sentinel, Sanish, C. A. Pickering; Mountrail County Promoter, Stanley, John S. Patterson; Stanley Sun, Stanley, Geo. W. Wilson; Van Hook Tribune, Van Hook, R. J. Kane; White Earth Record, White Earth, Record Publishing Co.

Nelson.—Aneta Panorama, Aneta, C. W. Baumann; Lakota American, Lakota, John Stewart; Nelson County Observer, Lakota, Frank Raff; McVille Journal, McVille, Harry M. Case; Michigan Arena, Michigan, P. M. Paulson; Pekin Budget, Pekin, E. C. Brekken; Tolna Tribune, Tolna, Harry M. Case; Nelson County Record, Petersburg, George C. Reeder.

Oliver.—Center Republican, Center, W. P. Thurston; Sanger Advance, Sanger, William G. Bunde.

Pembina.—Pink Paper, Bathgate, F. A. Willson; Cavalier Chronicle, Cavalier, J. K. Fairchild; Crystal Call, Crystal, J. A. Minder & Sons; Drayton Echo, Drayton, R. A. Gilroy; North Dakota Independent, Hamilton, H. P. Wood; Neche Chronotype, Neche, R. H. Fadden & H. M. Young; Pioneer Express, Pembina, Wardell & Thompson; St. Thomas Times, St. Thomas, Grant S. Hager; Walhalla Mountaineer, Walhalla, Chas. H. Lee.

Pierce.—Pierce County Tribune, Rugby, L. H. Bratton; Wolford Mirror, Wolford, Breen & Breen.

Ramsey.—Devils Lake Journal, Devils Lake, J. H. Bloom; Churchs Ferry Sun, Churchs Ferry, C. E. Harding; Crary Public Opinion, Crary, Edgar Anderson; Devils Lake World, Devils Lake, E. M. Crary; Edmore Herald News, Edmore, Hugh Wells; Hampden Guardian, Hampden, Fred H. Rieger; Lawton Republican, Lawton, S. T. Scott; Starkweather Times, Starkweather, Rilie R. Morgan.

Ransom.—Enderlin Independent, Enderlin, C. H. Potter; Lisbon Free Press, Lisbon, Boyden Bros.; Ransom County Gazette, Lisbon, William M. Jones, Jr.; Sheldon Progress, Sheldon, Wanzo M. Shaw.

Renville.—Glenburn Advance, Glenburn, R. Gilbertsen; Grano Tribune, Grano, Carl Carlson; Mohall Tribune News, Mohall, Charles Lano; Sherwood Tribune, Sherwood, E. L. Penn; Tolley Journal, Tolley, Swanson & Scott.

Richland.—Abercrombie Messenger, Abercrombie, H. Squires and W. L. Hanson; Fairmount News, Fairmount, B. W. Clabaugh; Hankinson News, Hankinson, W. C. Forman, Jr.; Lidgerwood Broadaxe, Lidgerwood, J. E. Melton; Lidgerwood Monitor, Lidgerwood, W. I. Irvine; Globe Gazette, Wahpeton, R. N. Falley; Wahpeton Times, Wahpeton, E. S. Cameron; Walcott Reporter, Walcott, Richard N. Lee; Wyndmere Pioneer, Wyndmere, H. E. Sievert.

Rolette.—Dunseith Magnet, Dunseith, D. Dwight Hargreaves; Rolette Record, Rolette, Chas. W. Sibley; Rolette County Herald, Rolla, W. D. Packard; Turtle Mountain Star, Rolla, W. J. Hoskins; Saint John Leader, Saint John, Chas. R. Lyman.

Sargent.—Cayuga Citizens, Cayuga, Charles O. Weston; Cogswell Enterprise, Cogswell, Charles A. Jordan; Forman Independent News, Forman, Jay H. Maltby; Prairie Press, Gwinner, H. C. Edblom; Havana Union, Havana, George & Simpson; Sargent County Teller, Milnor, John Edstrom and Nels Nelson.

Sheridan.—Goodrich Weekly Citizen, Goodrich, A. D. McKinnon; McClusky Gazette, McClusky, Ed. X. Moore; Sheridan Post, McClusky, T. D. Monsen; Searchlight, Martin, J. M. Smith; Denhoff Voice, Denhoff, George Thom, Jr.

Sioux.—Sioux County Pioneer, Fort Yates, C. Christenson.

Slope.—Slope County News, Amidon, Connolly Bros.; Mineral Springs Tribune, Mineral Springs, George T. Dollard; Marmarth Mail, Marmarth, James H. Cramer.

Stark.—Belfield Times, Belfield, Harry Dence; Dickinson Press, Dickinson, Ernest L. Peterson; Nord Dakota Herold, Dickinson, John Nadolski; Recorder Post, Dickinson, S. C. Barnes; Der Volksfreund, Richardton, Bernhard Arnold; Taylor Reporter, Taylor, J. L. Strang.

Steele.—Hope Pioneer, Hope, L. J. Bowen; Luverne Ledger, Luverne, J. Earl Fladeland; Sharon Reporter, Sharon, S. Malmin; Steele County Tribune, Sherbrooke, S. V. Anderson; Finley Beacon, Finley, G. A. Monteith.

Stutsman.—Jamestown Daily Alert, Jamestown, Alert Publishing Co.; Jamestown Daily Capital, Jamestown, Jesse B. Burgster; Stutsman County Leader, Cleveland, Hugh Osborne; Courtenay Gazette, Courtenay, A. F. Klenk; Jamestown Weekly Alert, Jamestown, Alert Publishing Co.; North Daktoa Capital, Jamestown, Jesse B. Burgster; Stutsman County Democrat, Jamestown, M. P. Morris; Kensal Progress, Kensal, W. T. Wasson; Medina Citizen, Medina, W. H. Nye; Montpelier Magnet, Montpelier, G. A. Weston; Pingree Patriot, Pingree, O. A. Ruud; Streeter Herald, Streeter, W. D. Putnam; Woodworth Rustler, Woodworth, Will H. Wright.

Towner.—Bisbee Gazette, Bisbee, J. M. Gores and A. Egeland; Cando Herald, Cando, George B. Denison; Cando Record, Cando, E. W. Spencer; Hansboro News, Hansboro, D. D. Finley; Egeland Enterprise, Egeland, M. O. Long.

Traill.—Hatton Free Press, Hatton, Hatton Printing Co.; Hillsboro Banner, Hillsboro, L. E. George; Mayville Tribune-Farmer, Mayville, E. D. Lum; Portland Republican, Portland, Portland Printing Co.; Buxton Outlook, Buxton, J. G. Curtis.

Walsh.—Adams Standard, Adams, M. C. Lovestrom; Edinburg Tribune, Edinburg, G. S. Breidford; Fairdale Times, Fairdale, Fred A. Callis; Fordville Chronicle, Fordville, Sam. S. Haislet; Grafton News and Times, Grafton, R. P. Luchau; Walsh County Record, Grafton, Grant S. Hager; Park River Gazette News, Park River, Frank J. Prochaska; Park River Herald, Park River, A. C. Thompson; Lankin Reporter, Lankin, Howard Africa; Minto Journal, Minto, W. G. Mitchell.

Ward.—Minot Daily News, Minot, Optic-Reporter Publ. Co.; Berthold Tribune, Berthold, W. E. Krick; Carpio Free Press, Carpio, M. J. Pavlik; Hartland Herald, Carpio, M. J. Pavlik; Des Lacs Observer, Dec Lacs, T. M. Filbert; Donnybrook Courier, Donnybrook, H. E. Johnson; Douglas Herald, Douglas, Ira F. Surber; Kenmare Journal, Kenmare, W. B. McLaughlin; Kenmare News, Kenmare, V. A. Corbett; Makoti Sentinel, Makoti, Thos. Buchanan; Messenger, Minot, L. D. McGahan; Ward County Independent, Minot, Truax & Colcord; Ryder News and Times, Ryder, O. H. Lomen; Sawyer Telegraph, Sawyer, D. R. Green.

Wells.—Wells County Free Press, Fessenden, C. M. Brinton; Harvey Herald and Advertiser, Harvey, C. B. Thomas; Harvey Journal, Harvey, J. F. Richards; Hurdsfield Herald, Hurdsfield, A. U. Jackson; Sykeston News, Sykeston, C. L. Covell; Bowdon Guardian, Bowdon, Wilford J. Burt.

Williams.—Alamo Farmer, Alamo, Alamo Publishing Co.; Grenora Examiner, Grenora, P. O. Howard, John N. Page; Grenora Gazette, Grenora, P. O. Howard, Nels Olesen; Ray Pioneer, Ray, Edwin J. Knudson; Tioga Gazette, Tioga, H. F. Irwin; Wildrose Plainsman, Wildrose, Frank Rodgers; Williams County Mixer, Wildrose, F. E. Stefonowicz; Williston Graphic, Williston, John A. Corbett; Williston Herald, Williston, George Farries; Zahl Booster, Zahl, Zahl Publishing Co.; McGregor Herald, McGregor, Frank Rodgers.

CHAPTER XXXI

NAMING NORTH DAKOTA COUNTIES

The Legislature of 1873 divided Pembina and Buffalo counties, and named the several counties in North Dakota largely in honor of the old settlers. Pembina, the original, was so called by reason of the highbush cranberries growing on the Pembina mountains. Enos Stutsman was representative from Pembina in the Legislature, and, upon going to Yankton, which was then the capital of Dakota, spent a night at the home of Morgan T. Rich, the first settler at Wahpeton, and they then agreed upon the principal names.

Barnes—For Judge, Alanson H. Barnes, associate justice, Dakota territory, 1873 to 1881. The county was named Burbank by the legislature of 1873, in honor of John A. Burbank, Governor of Dakota, 1869 to 1874. Burbank, in order to remove Judge Barnes from dominating political influence in the southern part of the territory, assigned him to the northern district, and a later legislature changed the name of the county to Barnes, in order to punish Burbank.

Billings—For Hon. Frederick Billings, president of the Northern Pacific Railroad Company, holding extensive landed interests in Burleigh and other western counties in North Dakota.

Bottineau—For Pierre Bottineau, one of the old-time voyageurs, born in North Dakota where he spent over eighty years of his life.

Bowman—For Hon. E. M. Bowman, a member of the Legislature of 1883.

Burleigh—For Walter A. Burleigh, Indian trader and agent, delegate to Congress and contractor for the construction of fifty miles of the Northern Pacific Railroad east from Bismarck.

Cass—For George W. Cass, president of the Northern Pacific Railroad, identified with P. B. Cheney in the development of the Dalrymple and other farms in North Dakota.

Cavalier—For Charles Cavileer, the first white settler in North Dakota, who settled at Pembina in 1851, where he died after more than fifty years residence in the Red River Valley. His wife was a granddaughter of Alexander Murray, one of the original Selkirk settlers, and a survivor of the Seven Oaks massacre. He was collector of customs at Pembina and postmaster for many years.

Dickey—For Hon. Alfred Dickey, of Jamestown, identified with the early history of North Dakota and later lieutenant governor.

Dunn—For John P. Dunn, one of the earliest settlers of Bismarck, where he was engaged in the drug business for many years.

Emmons—For James A. Emmons, post trader at Camp Hancock, established at Bismarck in 1872, and for many years identified with the development of Burleigh County.

Eddy—For E. B. Eddy, founder of the First National Bank at Fargo and for many years an active factor in the development of the Red River Valley, and an active force in the upbuilding of Fargo.

Foster—For James S. Foster, who settled in South Dakota in 1864 in connection with the New York colony from Syracuse, New York. In 1871 he was appointed commissioner of immigration and devoted his life to Dakota interests.

Grand Forks—On account of the confluence of the Red Lake and Red rivers at Grand Forks.

Griggs—For Captain Alexander Griggs, founder of Grand Forks and identified with the earliest navigation of the Red River.

Hettinger—For a distinguished citizen of Freeport, Ill., father of the wife of Hon. E. A. Williams of Bismarck.

Kidder—For Hon. Jefferson P. Kidder, identified with the interests of Dakota from 1858 until his death. Through the support of the North Dakota delegation he was nominated for Congress in 1874, and served four years as delegate to Congress. He served as associate justice from 1865 to 1875 and from 1878 to 1883.

Lamoure—For Hon. Judson LaMoure who came to Dakota in 1860. He was elected to the Legislature in 1866, but refused to take his seat. He came to what is now North Dakota in 1870 and was elected to the Legislature in 1872, and has seen almost continuous service in the Legislature since that time. No citizen of North Dakota has left his mark on so many pages of its history as he. He was interested in merchandising and in the agricultural development as well as in its political affairs.

Logan—For Gen. John A. Logan.

McHenry—For Hon. James McHenry of Clay County, South Dakota.

McIntosh—For E. H. McIntosh, a member of the council in 1883.

McKenzie—For Alexander McKenzie of Bismarck, the most prominent and influential citizen of North Dakota in the construction period of its existence. (See the chapter headed, Division of Dakota.) Whatever may be said of him it must be said that he has never used his political powers for his own advantage either financially or politically. For several years he was the national committeeman of the republican party from North Dakota.

McLean—For Hon. John A. McLean, then mayor of Bismarck. He was a contractor for ties and other material on the construction of the Northern Pacific Railroad west from Duluth, and of the firm of McLean & Macnider, general merchants and contractors at Bismarck. In January, 1876, a committee sent from Bismarck to the Black Hills, headed by H. N. Ross, who had accompanied the Custer expedition to the Black Hills the preceding summer, returned with many specimens of gold taken from the placer mines of the Black Hills. These specimens were regarded as so convincing as to settle the long mooted question as to whether there was any gold in paying quantities in the Black Hills. Mr. McLean and Colonel Lounsberry at once proceeded to Washington, conferring en route with the Chamber of Commerce at St. Paul, resulting in the organization of the Northwestern Stage & Transportation Company, which established a daily line of stages and means of transportation from Bismarck to the hills, and with the managers of the Northern Pacific, Milwaukee & St. Paul, and the Northwestern railroads relative to through rates for passengers and freight to the hills. At Washington they were received by President Grant, Secretary of War Belknap, and on the floors of both the Senate and House of Representatives. As a result President Grant directed that there should be no further interference with miners then in the Black Hills or en route there, and Congress took early action toward opening a large portion of the great Sioux reservation to settlement, including the Black Hills.

Mercer—For William H. H. Mercer, who settled at Painted Woods, Burleigh County, on the Missouri River, in 1869, and remained until his death, identified with the farming and stock growing interests of Burleigh County. He was a member of the First Board of County Commissioners of Burleigh County.

Morton—For Hon. Oliver P. Morton, war governor of Indiana.

Nelson—For Hon. N. E. Nelson, an early settler of Pembina, who entered the first homestead made of record in North Dakota. Collector of customs at Pembina for many years. Member of the Legislature.

Oliver—For Hon. Henry S. Oliver, member of the Legislature of 1885, and thereafter a leading factor in the politics of the territory and state, and postmaster at Lisbon.

Pierce—For Hon. Gilbert A. Pierce, governor of Dakota and United States senator. It was changed from Church to Pierce, having been first named for Governor Church.

Ramsey—For Hon. Alexander Ramsey, governor of Minnesota, United States senator, secretary of war. He introduced the first bill in the senate for the Territory of Pembina.

Ransom—On account of Fort Ransom, named for General Ransom, a distinguished soldier.

Richland—For Hon. M. T. Rich, a settler of 1869 at Wahpeton, and because it embraced a land that was rich indeed. Mr. Rich visited the Red River Valley in 1864, in connection with Sully's expedition, passing on west to the gold regions.

Sargent—For H. E. Sargent, general manager of the Northern Pacific Railroad, interested in the development of the agricultural interests of the Red River Valley.

Stark—For George Stark, general manager of the Northern Pacific Railroad, owner of the Stark farm, near Bismarck, opened to demonstrate the fertility and adaptability of the Missouri River region to general farming.

Steele—For Franklin Steele, an early trader at Fort Snelling, and later a distinguished citizen of Minneapolis, associated with the early promoters of Hope, who made large investments in that vicinity.

Stutsman—For Hon. Enos Stutsman, who was born in Ohio, taught school and studied law at Des Moines, Iowa, settled at Yankton in 1858, a member of the first Legislature in 1862; came to North Dakota as a special agent of the treasury department in 1864, when he was elected to the Legislature from Pembina County and thereafter until his death identified with North Dakota, rendering distinguished service.

Towner—For Hon, O. M. Towner, founder of the Elk Valley farm in Grand Forks County, and a member of the Legislature of 188[illegible]

Traill—For Walter J. S. Traill, an employe of the Hudson's Bay Company, located in early days at Caledonia and identified with the early development of Traill County.

Walsh—For Hon. George H. Walsh. His father, Thomas Walsh, located at Grand Forks in 1871. George H. was president of the council in the Legislature of 1881, and of the council in 1883, 1885 and 1889, and of the North Dakota Senate after statehood.

Wells—For Hon. E. P. Wells, a member of the Legislature of 1881, identified with the development of Jamestown and the James River Valley.

Ward—For Hon. J. P. Ward, a member of the Legislature of 1885, an active friend of North Dakota at that session, though from South Dakota.

Williams—Changed entirely from its original position. Named for Hon. E. A. Williams, who came to Yankton about 1869, and to Bismarck in 1872 as an employe of Walter A. Burleigh in connection with his contract for the construction of fifty miles of the Northern Pacific Railroad east from Bismarck. He was elected a member of the Legislature that fall and from 1873 forward has been identified with North Dakota interests. He has been in the Legislature several times, twice speaker, which position he occupied in 1883, the history-making session, so far as the interests of North Dakota were connected with the affairs of the whole territory. He was a member of the Constitutional Convention and surveyor general, and has taken a prominent part in the political conventions of the republican party.

Cavalier, Rolette, Bottineau, McHenry, Ramsey, Foster, Logan, Morton, Mercer, Williams, Grand Forks, Cass, Richland, Burbank (now Barnes), Gingras (now Wells), Lamoure, Stutsman, Ransom, Kidder and Burleigh were created by the Legislature of 1873. Benson, Bowman, McLean, McIntosh, Nelson, Sargent, Steele and Towner by the Legislature of 1883. Walsh was created in 1881. Dickey, Emmons, Hettinger, Billings, Dunn, Stark, Oliver, Ward and McKenzie were creations incident to other legislative sessions.

The counties created since the Legislature of 1873 and the names are of later date than the conference with Mr. Rich, but the original nomenclature comes from that visit of Stutsman to Rich. Hon. Judson Lamoure was also consulted and he, too, had a hand in giving the first as well as the later creations their names. The same is true of E. A. Williams, a member of the Legislature which made the first division.

Mountrail was named for a prominent half-blood family, descendants of Joseph Mountrail, an early voyageur.

Renville was named for Joseph Renville, trader, interpreter, mentioned in connection with the translation of the Bible and other important matters.

Adams County for Hon. R. S. Adams of Lisbon, a prominent financier and distinguished citizen.

Divide County, from the division of Williams County.

Grant County, from a division of Morton County, in November, 1916, for the illustrious Gen. U. S. Grant.

Burke County, for Hon. John Burke, a democrat, three times elected governor by republican votes, and United States treasurer under President Woodrow Wilson.

Sheridan County, for Gen. Philip Sheridan.

Golden Valley, from the western part of Billings County, for the rich valley and bench lands so well adapted to the growth of golden grain.

Slope County, southern part of Billings, from being on the eastern slope of the Missouri River valley, which rises in altitude from 1644 feet at Mandan to 2830 at the summit in Billings County.

Sioux, embracing that portion of the Great Sioux Reservation in North Dakota.

NORWEGIANS DANCING, NEAR RED RIVER IN ABERCROMBIE

GIRLS IN NORWEGIAN PEASANT DRESS, ABERCROMBIE

CHAPTER XXXII

STORIES OF EARLY DAYS

WINSHIP HOTEL—BUDGE'S TAVERN—AN ENTERTAINING STORY OF YE OLDEN TIMES IN NORTH DAKOTA

When Pembina was little, before Grand Forks, Fargo and Moorhead were born, George B. Winship strayed in from the south via Abercrombie, and Billy Budge from Scotland via Hudson's Bay, and meeting at Pembina in 1871, where George was engaged as a clerk in the sutler's store, they concluded to form a partnership and enter into business. They selected a point on the stage line between Grand Forks and Pembina known as Turtle River, where they erected a log cabin and put in a little stock of those things essential to life for man and beast and opened up a hotel. The old-timers all credit them with having kept an excellent stopping place, one of the best on the line, and both were popular and have since prospered in this world's goods. Winship established the Grand Forks Herald, represented the Grand Forks District in the State Senate several terms, and on his retirement went to California where he enjoys a fortune from the proceeds of well used opportunities in North Dakota.

William Budge was a member of the constitutional convention and also represented his district in the State Senate several terms, was the leading spirit in the establishment of the State University, and was one of its regents for several years, and postmaster at Grand Forks, moving later to Medford, Ore., where he became one of the leading business men of Jackson County, and always the true and noble hearted man he was in the early days of North Dakota.

The following, condensed from Clarence Webster's story in the Chicago Inter Ocean in 1886, will be enjoyed by their friends:

"After erecting their cabin, which was the only human habitation in 1871 between Grand Forks and Pembina, unable to agree on the name for their place, as the story runs, they agreed to label it 'Winship's Hotel,' so as to meet the view of those coming from the south and that 'Budge's Tavern' should be the sign displayed for the observation of those coming from the north. They disagreed in many things but united in one, 'We are not here for our helth,' was to be conspicuously printed on a card to be hung on the wall over the fireplace. 'God Bless Our Home,' and others of that nature were not fashionable then. The early settlers were the practical sort of fellows, who believed in informing people just where they were at and what was expected of them.

"Budge was an expert in turning the flapjacks while Winship was equally good as a valet de chambre at both house and barn, Budge assisting however between meals. Both were excellent collectors and usually insisted that there must be an understanding as to the pay before any of the supplies had been consumed. It is said they each warned the travelers not to pay the other, resulting in occasional loss on the grounds that it was unsafe to pay either. They had a monopoly and like all monopolists were independent and when there were any objections to paying $2 for flapjacks a la Budge and stable accommodations a la Winship the unfortunate objector was invited to read the card over the fireplace and move on. Sometimes Budge suggested that the man who objected to paying $1 for a white man's meal could fill up on marsh hay at half price.

"It sometimes happened that objections were made to the economical spelling of the word health in the sign upon the wall. If the kick was made to Budge he added a half to the bill for extras. If it was commented on before Winship, with great presence of mind he always remarked that the proofreader must have been drunk as usual when they went to press with it.

"Neither proposed to allow the other to get ahead of him. They made a nightly division of the cash and had a definite understanding as to the division of labor. Each in turn was to build the fires, and in order that there might be no mistake they arranged a calendar and pasted it at the foot of the bed. Commencing with B. W. B., alternating with G. B. W., there were thirty sets of initials, representing each day in the month. When Winship had built the fire he rubbed out the last initial and Budge did the same when it came his turn. The crossed letter always settled the question as to who was to get up next time and indicated the day of the month.

"One morning Budge got up and built the fire cancelling the B. It was a roaring fire, made especially for a temperature of 30 below. The frail chimney, built of sticks and mud, surmounted by a barrel, caught fire. Soon the fire spread until Winship's end of the building was burning at a lively rate. Winship poked his elbow in Budge's side, he having fallen asleep, who thinking a mule had kicked him, yelled, 'Whoa.' Another nudge partially awakened him, when Winship said, 'Billy, she is afire again.' Budge protested that he had spoiled the slickest dream he had ever had and that he would have had it all fixed in a minute more if he had been left alone, besides he didn't see why he should be disturbed. He wanted to sleep.

"'The fire is spreading,' said Winship. 'Better get up and put it out while you can do it easy. It is your turn to get up.'

"'It ain't my time to get up,' said Budge. 'The B. is crossed out.'

"'It is your fire,' said Winship, 'you built it, you had better put it out. It's getting too hot.'

"Budge insisted that the fire was Winship's by right of discovery and he must take care of it.

"Higher leaped the flames, closer and closer they came to the Scotchman, who was still insisting upon his rights to sleep undisturbed after building the fire. His own part of the shanty was ablaze. Coals were dropping down on the robes under which they had been sleeping. Winship drew the robe over his head.

"Finally Budge proposed that they both get up. 'That is reasonable,' replied Winship. 'Why didn't you think of that before?'

"They both got out. Some of the bacon and other things were saved.

"By this time Grand Forks had begun to grow. Both went to the Forks and entering on separate lines succeeded in business.

"Winship sometimes undertakes to tell the story and Budge tries to correct the proof, but giving up in despair, simply writes on the margin, 'there are other liars in the valley besides yourself.'"

THE OLD-TIME POSTOFFICE AT PEMBINA

(By Charles Cavileer)

"I came here (Pembina) in 1851, in company with N. W. Kittson and others. After being here a few days Mr. Kittson asked me to act as assistant postmaster, he having been appointed postmaster some time in 1849. Joseph R. Brown was contractor to carry the mail from Pembina, Wisconsin Territory, to Crow Wing in the same territory, via Thieving River, at its mouth at Red Lake River, thence by land and canoe to Red Lake Village, making short portages, thence making short portages between small lakes to Cass Lake and then by the same order of travel to Leach Lake and so on to Crow Lake and to the end of the route at Crow Wing Village, which was the headquarters of the North-West Fur Company for all that section of the country claimed by the Chippewas from Crow Wing to Pembina northwest and northeast to Sandy Lake, and Fond du Lac.

The contract was a go-as-you-please, on foot, horse back, cart or canoe, anyway-to-get-there affair. The contract price for carrying it was $1,100 a year. Kittson, being postmaster, could not act as sub-agent. He appointed me as assistant postmaster, and I ran the machine until some time in 1853 or '54. I did all the business of the office, made the quarterly returns and deposit of funds due the department, attending to every detail of the office, which at that time was no child's play as every letter and package had to be tied up in wrappers, waybilled and addressed to its destination. St. Paul packages contained nearly all of Minnesota, Chicago, Detroit and east and west exchange.

Letter rates of postage ran 6¼, 12½, 18¾, to 25 cents, according to distance, from 6¼ for short distances to 25 for 500 miles and over. Every letter and package had to be wrapped and addressed. Even single letters had to be wrapped and addressed to their proper offices. All wrappers had to be saved and used as long as they would hold together and an address could be put on without showing another.

But when it came to making out the quarterly reports the dance had just commenced. Every letter received and dispatched must be returned from the records kept on bills for that purpose, and it made a package about the size of a family Bible, and the footing up of columns with the amounts running from 6¼, 12½, 18¾ to 25, was a corker. And right here let me tell you, with a feeling of pride, that I never had a quarterly return come back to me for correction.

Let me give you a sketch of the business at that early day, and the hardships and tricks of some of our carriers.

The Hudson's Bay Company, before the establishing of the Crow Wing Route, always sent special messengers or carriers every spring and fall to St. Paul with the mail from their outposts in the North and Northwest, consisting of a thousand or more letters and packages, all mailed at the postoffice in St. Paul for their establishments in Canada and England.

The mail from Fort Garry, now Winnipeg, was generally carried by two men by cart or dog train. Occasionally it was packed by men on their backs, sometimes, if in winter, via the Red Lake and Crow Wing route, but generally by the cart route via Ottertail Lake and Crow Wing.

The postoffice having been established, Mr. Kittson appointed postmaster, and contract for carrying the mail let, the governor of the Hudson's Bay Company was notified and postal arrangements were made between the United States postal department and the governor of the Hudson's Bay Company, that all mail matter from the company, Prince Rupert's land, British possessions, should be mailed at Pembina, Wisconsin Territory, with United States postage stamps, prepaid at the rates of our domestic and foreign contract the same as our own mail. The route was established as a monthly mail leaving Pembina the first of every month, with no specified time for arrival at Crow Wing, or return, though it must be within the month, and be made with all possible dispatch and as little delay as circumstances permitted.

Our carriers were all half breeds, the best and most reliable men to be had. Our best man was "Savage" (Joseph) Mountrail. He had the endurance of a blood hound. Tough as an oak knot, fearless and faithful. To verify the above I will relate an instance on one of his trips: It was made in the fall when the rivers and lakes were just freezing over. We started him out on foot with his brother Alex as his assistant. The trip to Crow Wing was made in time but with considerable hardships. The return mail was large and had to be carried on the back. One carried the mail, the other the grub, bedding, etc. They met with no mishaps until arrival at Thieving River. Alex was then taken sick and would have to be carried. A white man would have cached the mail and seen to his brother. Not so with "Savage." He endeavored to pack Alex, the mail, grub and all, but made slow progress. He took the mail and grub, leaving Alex, and making a few miles, would return for him, and then again the mail, and so on until he arrived at Pembina on the sixth day from Thieving River. That is only one instance in many of these voyageurs. I had on the route one Paul Beauvier who was as tough, if that is what to call it, as man can get to be. But he was a voyageur and every inch of him. He never, even in the coldest of weather, wore a cap or hat. A blue cloth capot, without lining, with a capecha or hood attached, which was seldom worn on his head even in the coldest of weather, was his usual dress. He always went with an open breast, with nothing but a cotton shirt no matter if the mercury showed 20 or more degrees below zero. As an equivocator he was a success. He would spin out yarn after yarn finer than any gum string could possibly be stretched.

I always gave him provisions sufficient for the round trip, but in Red Lake Village he would lay over two or three days, and in the morning when he wanted to leave for Crow Wing he would apply to the resident missionary, Mr. Wright, for grub to take him to Crow Wing, having played high old revel with the dusky maidens of the village until his supplies were exhausted.

On one occasion, after getting his supplies from the unsuspecting missionary to last him to Crow Wing, before he got to the last wigwam or tepee of the village he hadn't a mouthful left for the trip. He knew they were cutting a road through from Crow Wing to Cass Lake and concocted a plan to euchre the overseer out of grub enough to take him through to Red Lake Village on his return trip. He struck the contractor or overseer some miles west of their encampment and told him a flowery yarn of how the roaring Red River had robbed him of all his provisions and asked the loan of enough to take him to Crow Wing, and that he would replace it on his return, and succeeded in getting what he wanted. In returning home Paul knew about where they were working the road, and took a straight cut some distance from the dog trail. He therefore kept the old trail and passed without drawing a growl from the dogs, getting home O. K. Those fellows may be looking for him yet.

In 1853 I went into partnership with Forbes & Kittson at Indian trading. In 1854 I moved to St. Joseph, now Walhalla, and took charge of the post. From there I had to make a monthly trip to Pembina to attend to the arrival and departure of the mail. Tiring of that I recommended to the postoffice department at Washington the appointment of Joseph Rolette as postmaster, giving my reasons for it. He was duly appointed and held the office for several years, but failing to make out his regular quarterly returns on August 31, 1861, Joseph Y. Buckman was appointed.

Buckman and Captain Donaldson were elected to the Territorial Legislature that year. They worked through the session at Yankton that winter. Donaldson returned to Pembina in the spring. Buckman never came back. He died the next year, but where I can't, nor is it necessary here to tell how.

Donaldson, I believe, was the next postmaster. John E. Sheals was appointed June 26, 1863. After Major Hatch's battalion left in the spring of 1864, Sheals went to Fort Garry, and left me to run the office as assistant. Collector of Customs Joseph Lemay and Joseph Rolette sculdugged, through Capt. J. B. Todd, the appointment of Charles Murneau, and removed Sheals. I knew nothing about it until I saw Murneau's appointment and bond drop out of the mail pouch. "Now, Mr. Lemay; after I am through with this mail I'll attend to you." And I most assuredly did—did it without one apology, or cream on the pudding. Joe Rolette came in while we were at it and I soon learned that he had a finger in the pie. I said to Joe, "Now as you took the trouble to write to Captain Todd for the appointment of Mr. Murneau, just sit up to this table and ask Mr. Todd to have the appointment canceled and have Charles Cavileer appointed." Joe most kindly did as I requested."

April 28, 1865, Charles Cavileer was appointed and held the office for twenty years, when his son, E. K. Cavileer, under appointment of January 15, 1884, succeeded him. James R. Webb was appointed December 26, 1886. His bond never was accepted or completed, and E. K. Cavileer still holds the office.

EARLY HISTORY BISMARCK POSTOFFICE—WHY SECRETARY OF WAR BELKNAP WAS IMPEACHED—ORVILLE GRANT AND THE INDIAN TRADERSHIPS

By Linda W. Slaughter

In December, 1872, the people of Edwinton, now Bismarck, tired of uncertainties in the military mail service, then carried by the quartermaster at Fort Abraham Lincoln, petitioned for the establishment of a mail route from Fargo to Edwinton and for the establishment of a postoffice. They also petitioned for my appointment as postmaster, which petition was endorsed favorably by the military authorities at Fort Abraham Lincoln. The postoffice was established February 7, 1873, but Maj. S. A. Dickey, then post trader at Fort A. Lincoln, whose brother was in Congress from Pennsylvania, received the appointment as postmaster. Fort A. Lincoln was then known as Fort McKean, and as a postoffice was established at that point soon afterwards Major Dickey could not hold the office at Edwinton as he resided beyond the delivery of the office. He resigned in my favor and I opened the office in March, 1873, as his deputy. It was then held that a married woman could not file a bond, so my husband, Dr. B. F. Slaughter, was appointed in April, and in August I became his assistant in name, but had full charge of the office for him as I had previously had for Major Dickey. The salary was fixed at the munificent sum of $12 per annum. In June, 1873, the office was changed in name from Edwinton to Bismarck, so named in order to attract the attention of German capital to the Northern Pacific Railroad, then under construction. The great chancellor acknowledged the compliment in an autograph letter to Secretary Wilkinson of the Northern Pacific Railroad.

In the meantime Doctor Slaughter had gone to Washington and so impressed the department with the importance of the office that the salary was raised to $790 for the year 1874.

There were then rumors of corruption in connection with freighting, contracting and in the Indian and military traderships on the Missouri River, and Ralph Meeker put in an appearance with credentials from James Gordon Bennett of the New York Herald, with instructions to investigate and report the facts as to the alleged abuses at the Fort Berthold Indian Agency and other points. He brought to me letters of introduction asking my aid to secure him employment at the Berthold Agency in order that he might have better opportunities for investigation. This I accomplished through the help of a commandant of one of the upriver posts, and Meeker went to work as a common laborer on the agency farm, under the assumed name of J. D. Thompson. His letters were dated Bismarck and mailed at this office, having been sent under cover to me for that purpose.

One of these letters contained a terrible arraignment of Orville Grant, brother of the President, for his conduct of the Missouri River post traderships. These letters created a sensation in Bismarck and at the adjacent posts, and, indeed, throughout the country, and every effort was made to discover their author. Threats of violence were even made should he be discovered. At length an observant route agent, as the railway postal clerks were then called, reported that I was the author. Mindful of the danger to the actual author should the truth be known, I did not deny the report. Orville Grant hastened to Washington and secured my summary removal and the appointment of a gentleman associated with him in the Fort Stevenson tradership as my successor.

There was commotion among the people of Bismarck when the truth came to be known. Public meetings were held and a petition sent for my reinstatement. The old cannon, still owned by the city, which used to be a part of the armament of the Ida Stockdale, was planted on the square where the band stand now is and joined in the general protest made by vigorous speakers. They adjourned the public meeting to the postoffice where they assured me of their confidence and support.

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The commandants of the military posts, who received their mail through the Bismarck postoffice, also sent protests against my removal.

The Herald correspondence had been instigated by members of the United States Senate who feared that an expose of the abuses of which they were cognizant would mean the downfall of their party unless the system of farming out the traderships existing under General Belknap could be stopped.* President Grant with his well known fidelity to friends, refused to even listen to the complaints. It was for that reason that the party leaders determined to make the expose even if the President's own brother should be involved. When the news of my removal reached these gentlemen they sought an interview with Postmaster-General Jewell, and I was reinstated. A new commission dated August 15, 1875, was afterwards sent me, with a kind personal letter from the postmaster-general. About this time the actual writer of these sensational letters, who had been steadily following the plow on the agency farm, was discovered. He narrowly escaped assassination at the agency and made his way to Fort Stevenson whence he was sent under escort to Bismarck. His discovery caused a revolution in my favor and those who had previously been my enemies became my friends.

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On July 17, 1873, the county commissioners of Burleigh County appointed me county superintendent of schools and in November I was elected to that position by the people. A question having arisen as to whether I was eligible Chief Justice Peter C. Shannon decided that a woman who had the qualifications of an elector as to residence and in other respects than as to sex, and was possessed of the scholarly attainments requisite, was eligible. My right to hold two offices was later questioned and in order to settle the question I wrote the postmaster-general and his reply was that "the annual salary of your office so nearly approximates $1,000 that it is not deemed expedient for you to accept the office of county superintendent of schools." Whereupon I wrote this, my resignation:

"Bismarck, Dakota, January 29, 1873.

"Hon. Marshall Jewell, Postmaster-General,
"Washington, D. C.

"Dear Sir: I hereby tender my resignation of the office of postmaster at Bismarck, Dakota, in favor of Clement A. Lounsberry of the Bismarck Tribune, to take effect at the close of the present fiscal year, June 30, 1876. I resign the office because a sufficient allowance is not made for clerk hire and the duties of the office have become too onerous for me. I recommend Colonel Lounsberry for the position because he is a man of integrity and popular with our people, as

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* Meeker returned the next winter and aided by Custer and others developed more fully the scoundrelism which was then the rule in relation to the post traderships. The Indian traderships were in the hands of Orville Grant. He furnished the opportunity and others the money and received half the proceeds. The military traderships were controlled by the wife of the secretary of war who received a gift of $12,000 per annum from each of the posts at Forts Buford, Lincoln and Rice, and smaller sums from other posts, in return for the appointment of her friends as traders. It was these facts which led to the impeachment of Secretary Belknap and incidentally to the Custer massacre. General Custer's soul went out in sympathy to the oppressed and especially to the Indians whom he loved and who had profound respect and admiration for him. Custer never told an Indian a lie. It was he who was instrumental in bringing Meeker back.

I should regret to see the office to which I have devoted so much time and care, fall into unworthy hands.

"With grateful remembrance of your past kindness, and wishes for your future, I am sincerely your friend,

"LINDA W. SLAUGHTER, P. M.,
"Bismarck, Dakota."

At this time I appointed F. D. Bolles assistant postmaster, and the office was at once moved to the Bismarck Tribune office, where he was employed as a printer. Later my resignation was amended to take effect April 1, 1876, when Colonel Lounsberry was appointed and served until his resignation in November, 1885.

A WAR REMINISCENCE

Sitting in the office of Augustus Haight at Jamestown, talking of the war and its incidents Mr. Haight mentioned the fact that he was in Washington when Ellsworth was killed, May 24, 1861. "And I was in Alexandria," responded Colonel Lounsberry. "I heard the shot; I saw the bloody stairway and the lifeless body." "And I," responded Mr. Haight, "accompanied his remains to his old home and delivered a letter to his father which Colonel Ellsworth handed me the evening before his death to be franked and mailed. I was employed in the office of the secretary of state under William H. Seward. That morning I was up early and out on Penn Avenue, Washington. An orderly hastening down the avenue at a furious pace told me, in response to my inquiries, of Ellsworth's fate. I hurried to the White House and Mr. Lincoln, in response to my 'good morning, Mr. President,' replied 'but it is a sad one. Be seated, Secretary Cameron will soon arrive and we shall know the truth.' Colonel Ellsworth had handed me two letters the evening before to be franked by some member of Congress, as the soldiers were allowed free postage. After coming from the White House, I met Congressman Van Wyck, who franked them. One was addressed to Colonel Ellsworth's father and was handed by me to him at the Astor House, New York, as I was chosen by President Lincoln as one of the escort to go with the remains to his home in Saratoga, N. Y. We were born in the same town and were school boys together. The other was addressed to Miss Spofford, Rockford, Ill., to whom he was to be married. This I sent by the hand of a friend. I went with the remains as stated. There were immense crowds everywhere. John Brown was the first martyr for liberty, Ellsworth was the second, or at least was so regarded. His death fired the northern heart and the flame of patriotism was fanned as if by a gale."

"And I," responded Colonel Lounsberry, "was a member of the Marshall Light Guards which became Company I in the First Michigan Infantry, which was organized April 24, 1861, and reached Washington May 16th, being the first western regiment to reach the capital. Ellsworth came about the same time and was quartered in the capitol. The marble room of the Senate chamber was used for their commissary supplies. Alexandria was captured by our regiment and Ellsworth's. Ellsworth went by steamer: We crossed over the Long Bridge and marched over, arriving at daybreak. We captured Captain Ball's company of

Virginia cavalry consisting of thirty-five mounted men. It is a noteworthy fact that a mistaken order prevented bloodshed. Wilcox, our colonel, was commanding. He ordered Captain Butterworth of the Coldwater Cadets to deploy his company as skirmishers and fire on Ball's company. Butterworth understood the order to 'file' on them and waited for further orders. After getting in position as skirmishers, Ball surrendered. By the way, he was a cousin of ex-Mayor Ball, of Fargo.

"In the meantime Ellsworth noted a Confederate flag flying over the Marshall House. He took Corporal Brownell and a file of soldiers and went to pull it down. Jackson, the proprietor of the hotel stood guard with a shotgun, swearing he would kill the first man who touched it or attempted to pull it down. Ellsworth attempted to pass him and was killed by Jackson and he by Brownell: This was about sunrise and it cast a gloom over our spirits which it took days to remove. We built Fort Ellsworth and occupied it until a few days before first Bull Run, and I was associated with Ellsworth's regiment at first Bull Run, where I was wounded and being captured, was taken to Libby Prison."

Mr. Haight was in the state department at Washington with William H. Seward, and was a member of the Cassius M. Clay battalion, organized for the defense of Washington, at the breaking out of the war. Later he raised a company and served till the close of the war as a captain in the Forty-second Wisconsin.

THE PICTURE OF JEFF DAVIS IN SKIRTS

When gathering material for North Dakota History, this writer found in the possession of Ransom Phelps, of Breckenridge, a program of the first dance given at Wahpeton. It was neatly printed by the Minneapolis Tribune. It was called a "Fancy Dress Ball," for the dedication of the first business house in Chahinkapa (Wahpeton), on Monday, July 6, 1874. The music was by Howe's Wild Rice Band. The committee of arrangements was D. Wilmot Smith, J. Mourin, J. W. Blanding and M. T. Rich. The floor managers were J. Q. Burbank, R. Phelps and C. B. Falley.

Ransom Phelps and D. Wilmot Smith were military telegraph operators during the war, and Phelps has in his possession the originals of many important messages. He has a manifold copy of the bulletins of Secretary Stanton announcing the surrender of Lee; Grant's dispatches, etc. He was the operator in the New York office who received the message. He has a message from P. T. Barnum, dated Hartford, May 17, 1865, directing his manager at New York to "Put outside a picture of Jeff Davis in petticoats, represented as running, exposing his boots and scolding the Government for its want of magnanimity in chasing women," and Jeff went into history in that plight.

Phelps wrote George Francis Train for his autograph. Train replied, writing in red and blue:

"CITIZEN

"Ransom Phelps.

"Seven years ago I stopped animal food and hand shaking.

"Long since I gave up lectures, stage, or contact with adults.

"April 10th I stopped talking with grown people and this may be my last autograph.

"April 23, 1881. GEORGE FRANCIS TRAIN."

BLAKELY DURANT, THE COMPOSER AND ORIGINAL SINGER OF ONE OF OUR MOST STIRRING AND POPULAR WAR SONGS

Died in Grand Forks, N. D., September 20, 1894, Blakely Durant, more familiarly known through this Northwest, if not over the entire country as "Old Shady." At his funeral, which occurred at the Baptist Church in that city, his remains were escorted by the Willis A. Gorman Post, G. A. R.; also by Company F, North Dakota National Guard, and the Grand Forks City Band.

Blakely Durant was born at Fort Madison, Miss., a short distance south of Natchez, in 1826, and was, therefore, at the time of his death, in his sixty-ninth year. When but a child his parents emigrated to Texas. His father soon after died, when his mother removed with her family to Cincinnati, Ohio, when he was but seven years of age. At that early day, 1833, there were no public schools in Cincinnati for the education of children of negro parents. However, "Old Shady" acquired a good, sound, practical education, which in fifteen years proved to be the foundation of a wide range of information, which so enriched his life in after years. When still quite young, Durant removed to Mercer County, Ohio. Here he soon after married and continued to reside on a farm until the breaking out of the War of the Rebellion.

When the news of General Sherman's death reached Grand Forks, there was none who mourned the sad event more than did "Old Shady," the general's famous "Singing Cook." He said: "I saw General Sherman at the encampment in Minneapolis in 1884, but had no opportunity to speak with him then. About one month later the old general passed through Grand Forks, when I met him at the depot and had some fifteen minutes or more of conversation with him. At first the old general did not seem to know me, but when I told him that I was really 'Old Shady,' the very same 'Old Shady' who had so long followed his fortunes in the war, I thought he would shake me to pieces. The old general asked me more questions in the few moments allotted to us than I could possibly answer, and they followed thick and fast one after another. That, said 'Old Shady,' was the last time I ever saw the dear old general alive, but, I have always corresponded with him since, and he has sent me his photograph; also that of his wife. I always thought a great deal of the old general, and in return he seemed to think a great deal of me. General Sherman was a man who never made any pretensions, but he was always very plain, strict and straight-forward in his dealings with me and his soldiers."

When General Sherman's funeral occurred at St. Louis, that same faithful friend, "Old Shady," was true to his love, and was there, and there was none to mourn more than he, the faithful old colored servant, who followed the remains of his dear old general to their last resting place.

Blakely Durant entered the army as a private soldier, in February, 1862, in the Seventy-first Ohio Volunteer Infantry, which regiment was in General Sherman's division. From the very first he was detailed as cook for the officer's mess. The Seventy-first Regiment started from Camp Todd, at Troy, Ohio, and went to Paducah, where they were brigaded with the Fifty-fourth Ohio, and the Fifty-fifth Illinois. Col. David Stewart, of the Fifty-fifth Illinois was made commander of the brigade. From that time until after the battle of Shiloh "Old Shady" saw General Sherman almost constantly.

"Old Shady" entered General McPherson's service soon after the battles of Fort Donelson and Shiloh, going through to Vicksburg. He was a well known and popular caterer for the various groups of Union officers, among whom he was a general favorite. Generals Sherman and McPherson were his chosen princes. It was through the corps commander at Paducah that he first met and became acquainted with General Sherman, who ever afterwards claimed "Old Shady" as a part of his essential following.

The hero of the famous march "From Atlanta to the Sea," feelingly made "Old Shady" the subject of an extended and very interesting sketch in his "Memoirs of the War," which was published in the October number of the North American Review for 1888.

After the battle of Shiloh, "Old Shady" met General Sherman at Vicksburg, where he was then catering for General McPherson's mess. When General Grant's headquarters were on board the gunboat at Milliken's Bend, in the winter of 1863, "Old Shady" was detailed as cook of Grant's mess, a position he occupied for nearly three months, during which time he was nightly called into the ladies' cabin to sing "Old Shady" and other songs for the general and his guests, and there it was that he again attracted the attention of General Sherman.

Although not detailed, and not expected to serve in another capacity than that of cook, "Old Shady" often found opportunities to show his bravery and loyalty. At the battle of Pittsburg Landing, when a retreat had been ordered, the Seventy-first Ohio having been suddenly surprised by the enemy while at dinner, "Old Shady," observing that the Seventy-first Ohio regimental colors had been forgotten in the hasty retreat, quietly took his favorite guitar, returned to the old camping grounds, secured the colors and triumphantly brought them into camp; but in so doing lost his guitar which he prized so highly. The officers, however, did not forget his bravery, and soon after presented him with a new and very handsome guitar, which was still in his possession at the time of his death.

In his flattering account of "Old Shady," as published in the North American Review, General Sherman wrote of his famous song, "Old Shady," as follows: "I do believe that since the prophet Jeremiah bade the Jews to sing for joy among the chiefs of the nations, because of their deliverance from the house of bondage, no truer song of gladness ever ascended from the lips of man than at Vicksburg, when "Old Shady" sang for us in a voice of pure melody this song of deliverance from the bonds of slavery:

"OLD SHADY."

Yah! Yah! Yah! Come laugh wid me,
De white folks say Old Shady am free,
I 'spec de year of Ju-be-lee
    Am a-coming; am a-coming;
    Hail, mighty day!

Chorus—Den away, den away, I can't stay here any longer.
    Den away, den away, for I am goin' home.

Old Massa got scared, and so did his lady;
Dis chile break for old Uncle Aby,

Open the door, for here's Old Shady
    A-comin', a-comin',
    Hail, mighty day!

Chorus—Den away, den away, etc.

Good-bye, Mass' Jeff, good-bye, Mass' Stephens;
'Suse dis niggah for taken his leavins,
I 'spec by and by you'll see Uncle Abraham,
    A-comin', a-comin',
    Hail, mighty day!

Chorus—Den away, den away, etc.

Good-bye, hard work without any pay;
I's goin' up north where the white folks say
Dat white wheat bread and a dollar a day
    Am a-comin', a-comin',
    Hail, mighty day!

Chorus—Den away, den away, etc.

Oh! I's got a wife and a nice little baby
Way up north in the lower Canady;
Won't they shout when they see Old Shady
    A-comin', a-comin',
    Hail, mighty day!

Chorus—Den away, den away, etc.

Durant thus spoke of the old commander and the old times:

"After the entry at Vicksburg, General Sherman was stationed on the Big Black River, and, whenever he came to town he would generally quarter with General McPherson. I have always found the general to be a very agreeable gentleman—always approachable, and very strong in his attachments to the soldiers."

"I left the army at Vicksburg, in December, 1863, and returned to Ohio, and commenced steamboating. I settled in St. Paul, Minn., having moved to that city in 1866."

"Old Shady" had lived at Grand Forks for twenty years before his death. His son is a graduate of the North Dakota University.

THE HALFBLOOD OF NORTH DAKOTA

The Metis, or halfbloods, were mostly the product of the Hudson's Bay Company. The company engaged men from Canada, Scotland and England as employes in their fur trade in the Northwest, and these men often remained in the Hudson's Bay service their lifetime. They were usually men of vigorous, hardy physique and their labors were onerous, full of hardship, and often of danger and excitement. Many of them, in the absence of white women, took to themselves Indian wives, and the offspring in time augmented in number, by incoming settlers, and natural increase, until at one time there must have been about 3,000 scattered through what is now North Dakota and Manitoba. The

French ancestry predominated, but there were many Scotch and English halfbloods. In these palmy days, when the prairie was open ground, and the buffalo plenty they possessed many of the characteristics of the Acadians, so pleasantly and beautifully described by Longfellow. They were a simple folk, but honest, merry, and led with the herds of buffalo, from which they received their chief substance, almost pastoral lives.

BUFFALO HUNTING

The history of the Metis, or halfblood, and his contemporary, the buffalo, is of peculiar interest. While the old halfblood of the prairie had scattered all over the Northwest, and is being mingled and lost among the greater number of later white immigrants, yet there are many of them still with us, whose earlier years were spent in hunting over these prairies, making their livelihood by the fruits of the trap or gun. The buffalo are gone and practically extinct, except a few that are preserved in private or national parks; but their traces are still plentiful and show proof of the immense herds that used to feed on the vast prairie pastures of this valley and the adjacent hills and plateaus lying westward. Deep worn paths along the hillsides still look as if made by herds of cattle a season or two ago; great hollows in the ground yet remain where the buffalo have eaten the salty soil; and now and then the farmer plows up a huge bone or skull that remains as a mark of the grave of one of these monarchs of the plains. In some places these bones are found in such quantities that persons have made a business of collecting them by the wagon load, and thousands of tons have been sent east to be ground up for fertilizers, etc.

But the history of the buffalo and of the people who lived on them and hunted them, is not ancient history. In 1877 a caravan of Red River carts came to Pembina for a market, and at that time dried buffalo meat and pemmican could be bought at stores and were common articles of traffic.

The grand summer buffalo hunt was always the chief event of the year. From the 8th of June until the 15th, the hunters would assemble at some central place in the eastern part of the state. Bands from various points in Manitoba would join them. The brigade when made up consisted of different nations, the largest part being of French parentage. Then there were English, Scotch, Orkney and a few other nationalities. In the brigade there were about six hundred carts drawn by horses and oxen, and some twelve hundred persons, men, women and children. Being all assembled, and all arrangements made, the officers were appointed by some leader, from councilmen to constables, guides, etc.; the route determined upon after hearing the report of scouts, sent out to find where big bands of buffalo were ranging, the brigade would form in lines, three or four according to the size of the party, to make a move for the nearest buffalo. Then they would strike out for the plains, sometimes for the Cheyenne, Devils Lake, Mouse River, Jim River or Turtle Mountain. As soon as they found buffalo they would follow them up for days, whichever way they ran.

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When the hunters see the herd they trot along slowly until they get within a half a mile of the animals. Some are standing, some lying down, and a few feeding, and as they begin to rise the hunters go a little faster, but not to pass the captain who is supposed to have the poorest horse in the brigade, the captains being all old men. The buffalo are some one hundred and fifty or two hundred yards in advance. The hunters are abreast, three or four feet apart, and when the captains say "Ho! Ho!" all are off like a flash. The guns are all loaded, each hunter has three or four bullets in his mouth, and bullet pouch and powder horn at his side. The guns were the old Hudson's Bay Company's Nor-West-trading made especially for the trade, long stock and flintlock, priming themselves, and carrying a ball equal to a rifle and with force enough to pass through a buffalo bull. In loading the gun after the first shot the powderhorn with a large opening, was given three shakes in the closed left hand for the right charge of powder; the gun in the right hand; a ball was taken from the mouth and the powder poured into the gun, which was shaken sufficiently to send all to the breach and putting the priming in the pan. The ball was then dropped into the muzzle of the gun whence it rolled down and rested on the powder, using no wad. Then they were ready for another shot, and so on to the end of the chase.

In the meantime the buffalo were breaking prairie and raising dust enough to create a cyclone. In the race each will average killing from eight to ten animals, and some of the best shooters as high as twenty. In shooting to make dead sure, aim about half way up the ribs behind the left shoulder into the heart, the runner being from five to ten feet from the animal. Sometimes they have to shoot from either side of the victim, but always behind the shoulder. So on to the end of the race from the time they get into the herd, say one mile or a mile and a half. The women follow right up with the carts to load the meat and take back to camp. The race ended the hunters return to the beginning of the chase, each man taking his own row. Each gun charge has the mark of the runner, one buck shot, or whatever his mark may be; others two buck shot, some with shot of different sizes, and others slugs, so there is very seldom a dispute as to the killing of the animal.

Some of the hunters with poor horses, not fast enough to run in the chase, when they find runners with more cows than they want or can take care of, buy an animal for five shillings and in that way all, in starting for home, when the hunt has been good, return loaded. The men then skin and cut up the animals, leaving mostly bones for the wolves to fight over. The meat is then loaded into the carts and drawn home by the women, boys and girls.

For eighteen days we were in sight of buffalo and chased, as we required the meat for making pemmican, and dried meat enough to fill the carts for our return home.

In all we were among the buffalo for six or eight weeks. Full loaded we turned faces homeward, rejoicing and thankful that no serious mishaps had befallen us.

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Arriving, each one takes the meat from the carts and piles it in a good place. The women then cut it into thin slabs about a quarter of an inch thick, two feet wide and four feet long. They then make a long rack with poles. After this stakes are driven in the ground and the poles are tied on with cords cut from the parchment skin of dry buffalo hide. The slabs of meat are put on these poles commencing on the lower and so on to the top. In this way it is dried in the sun, and in good favorable weather will dry in a day and a half. It is then put in bales two and a half feet long, eighteen inches wide and eighteen high. Then tied with buffalo cord in a solid pack and it is ready for the carts to be taken to a chosen place where water and wood is convenient as well as grazing for the horses and cattle.

The long, thin, dry strips are then taken and placed on the flesh side of a buffalo hide, or the cart cover, and beaten into a mass of shreds with flails. Then it is thrown into large kettles of hot tallow and when thoroughly mixed is poured hot into sacks prepared for it, made from buffalo hide and sewn up with sinews which hold from fifty to a hundred and fifty pounds each. These sacks were permitted to keep the fur on but as a rule the less valuable hides are used to make them. After the pemmican is cooled it becomes so hard that it often requires a heavy blow to break it. It will keep many years if properly taken care of, and contains a vast amount of nutriment to the pound. It is eaten in this form, or can be cooked with vegetables, or in other ways. Tongues were made into berry pemmican. They were treated with marrow fat, berries and maple sugar and thus made a very palatable dish. Tenderloin whipped into shreds and served with marrow fat was a feast for the epicure. The buffalo tongues were dried sliced or whole, and often buffalo were killed for the tongues alone.—Charles Cavileer, in The Record, April, 1896.

HALF-BLOOD WEDDINGS

Entering the church, the bride and groom with their best fellows march up to the altar. The priest joins them together, pronounces them man and wife and gives them a benediction. Then everybody comes to the front to kiss the bride, and to refuse would be considered a gross insult and probably cause a scrap with the groom at some future time. After the ceremony they go en masse to the bride's home where a bounteous repast is spread, consisting of pemmican, raw and hashed with onions, dried meat in slabs and hashed with onions or garlic, fresh fish from the Pembina River, game from the prairies and woods, "gallette" as flour is scarce, potatoes and vegetables, with a dessert of pies, puddings and wild berries, topped off with the always present wedding cake which is always a stunner. Sometimes when the bride is sitting in a chair with one foot crossed over the other, in deep thought, probably dreaming of the happy future, some rude scamp quietly slips off one of her slippers, leaving her to stump around with one shoeless foot. The moccasin is then put up at auction to the highest bidder, the groom buying it at two pound sterling, which he had to pay, the money being spent for the good of the company.

At the table none but the men or braves sit down, while the women sit on the floor in the corners, and when the onslaught commenced it was a thing of joy and beauty to behold, but when finished the scraps are few and lean. They eat, fiddle and dance, and dance, fiddle and eat at the bride's home as long as the eatables last, when they depart for the groom's home where the same performance is gone through, then the old style, until another wedding or something else turns up to change the scene or program.—Charles Cavileer.

The halfblood Indians who were the first occupants of the country had ranged over the country from the days of the old Hudson's Bay voyageurs, sometimes on one side of the line and sometimes on the other. Now they were on the Pembina Hills, again on the headwaters of the James, and then here or perhaps on the woody mountains on the British side. The prairies and hills were their home, hunting and fishing their occupation, and for a time it was very doubtful as to whether Canada or the United States was their country; but after the halfbreed troubles in Canada they settled down in the Turtle Mountains to the number of about three thousand, of whom the greater number have been recognized as American Indians. Some of those Canadian born have become naturalized and are good citizens and good farmers.

JARED W. DANIELS

Jared W. Daniels was appointed agent of all of the treaty Sioux in 1868 and went to Fort Totten and established the Indian agency there in the spring of 1869. General Joseph N. G. Whistler, a veteran of the Mexican war, was then in command of the fort which had been built there in 1867. In the spring of 1869, Doctor Daniels also established the Sisseton Agency at the Sisseton Reservation. Finding Devils Lake required additional care, he recommended the appointment of a special agent there, and Doctor Forbes of St. Paul was appointed, but Doctor Daniels remained as the agent at Fort Wadsworth on the Coteaux till 1872. Fort Ransom, at the bend of the Sheyenne, was occupied by troops under Colonel Hall. Guards were sent with all supplies, but the doctor traveled everywhere with an ambulance and a couple of Indian guides.

ROLETTE'S CART LINE—PEMBINA AND ST. PAUL

Hon. Charles E. Flandrau, writing of Joseph Rolette, gives facts of historic interest in relation to Rolette and the creation of the cart line from Pembina to St. Paul, which sometimes embraced as many as six hundred carts:

"In his boyhood, young Joe Rolette was sent to New York City to be educated under the supervision of Ramsey Crooks, at that time president of the American Fur Company. Judge Flandrau relates that when the pioneer boy first appeared on the streets of the metropolis he was dressed in a full suit of buckskin and carried a rifle on his shoulder. Tradition has it that he was a sort of a madcap young fellow, fonder of adventure than of books and study, though in one of his letters among the Sibley papers Mr. Crooks speaks of him as 'getting on very well' and 'giving promise of becoming a useful man.' When he left New York for his home on the frontier he had a good education and some accomplishments, in addition to his natural bright, buoyant spirits, enthusiasm and quick wit.

"On his return from New York young Rolette entered the service of his father in the fur trade. About 1840, he was sent up into the Red River country and located at a post on the present site of Pembina. He was then under the direction of General Sibley, who was in general charge of the fur company's business in this region, and whose headquarters were at Mendota, Minn., or St. Peter's, as it was then called. In 1843, in connection with his mother's brother, a Mr. Fisher, he started a line of carts between Pembina and St. Paul. About this time General Sibley sent Norman W. Kittson to take charge of the fur trade in the

Red River country, and Rolette became Kittson's lieutenant. Kittson indorsed Joe's project for a cart line between Pembina and St. Peter's and added another line. In 1844 six carts came down during the year.

"In 1858 this number had increased to 600, and in the meantime a very important part of the fur traffic had been diverted from the routes of the Hudson's Bay Company to St. Paul. It is not too much to say that it was this species of commerce that made St. Paul a city. In the conduct of his business Joe was not very careful or methodical, but always meant to be faithful to the interests of his company. He was always alert in protecting its rights. The American traders at the Red River posts suffered great losses from time to time from the aggression of the Hudson's Bay Company's men. The latter, no doubt encouraged by their superiors, frequently passed over the boundary between Canada and the United States and engaged in unrestricted traffic with the Indians on American soil, furnishing the savages with unlimited quantities of whisky, which the American traders were forbidden under severe penalties to sell. In vain did Kittson protest and remonstrate and ask for protection and redress. General Sibley could not help him and the Government would not. At last, in 1847, some Canadian traders came down near Pembina and set up a post two miles from Joe Rolette's so-called factory and sent out runners to the Indians that they wanted their furs and that they had plenty of money and whisky galore. Before they had fairly begun operations Rolette took a dozen or so of his plucky retainers, half-breed Indians for the most part, marched against the intruding Britishers, tumbled their goods out of their houses, burned their houses to the ground and drove the traders and their retainers in dismay back into Canada. It is needless to say that this put a check on the trespassing for a considerable time, and there were no internal arbitrations or deliberations, or any sort of complications over the matter, either. Writing of this incident to Sibley, Kittson said: 'I fully approve of Joseph's conduct, though I do not know what the result may be. But if the H. B. Company returns again they will be taught a severe lesson, and one they will not soon forget.'"

Rolette died at Pembina, May 16, 1871.

AN OLD TIME TRADING EXCURSION

In gathering the data for "North Dakota History," this writer met at Bottineau S. B. Flowers, who accompanied Captain Shelton's trading expedition through North Dakota in 1843. They left St. Louis in March. The party consisted of Captain Shelton, with a corps of doctors and surveyors and other assistants, and an armed guard of fifty men accompanying a pack train of 175 mules loaded with beads and trinkets and merchandise of various kinds, especially those articles looked upon with favor among the Indians, including a liberal supply of whisky and blankets.

Captain Shelton would display his wares on the bright colored blankets and found no trouble in obtaining $100 worth of furs for a cup of glass beads. The Indians were rich in the supplies the chase afforded. One could go to any high point, says Captain Flowers, and range a glass over the prairies in different directions and thousands of buffalo would be brought to view. The Indians made no complaint in those days about unfulfilled treaties, no claim that they were starving, but instead they were proud and independent, well armed and contented.

Captain Shelton's party met the Indians in their villages and travelled from place to place, gathering up their furs, packing them to the mouth of the Yellowstone where a French trader, named Sarpee, was located and was running a line of boats down the Missouri to St. Louis. The boats were made of skins, made waterproof by treatment in oil, stretched over a skeleton boat about eight feet wide and fifty feet long. Two of these lashed together would carry nearly one hundred tons and, to use the language of Captain Flowers, would skim over the waters like a bird. The current in the Missouri River is seven miles an hour and St. Louis could be reached in sixty days from the time of leaving. The Sarpees, one brother at Council Bluffs and the one at what afterwards became Fort Buford, became enormously wealthy, worth a million or more, from trading with the Indians.

Shelton's party left St. Louis in March, came up the Missouri visiting outlying trading points, to the mouth of the Yellowstone, up that stream to what is now Billings, over to Brown Hole, Limkin River and Sweetwater, and then south and east, reaching Omaha in the autumn from the Platte with his pack animals, loaded with the fruits of the expedition.

In all of North Dakota, excepting Chas. Cavileer at Pembina, Fred Gerard over on the Missouri, and Sarpee at the mouth of the Yellowstone, there were no white inhabitants, excepting a few of the old voyageurs intermarried with the Indians, from whom came the tribe of half-bloods heretofore mentioned.

THE BATTLE OF BIG MEADOW

In March, 1876, Oscar Ward led a party from Bismarck to the Black Hills consisting of Andrew Collins, Joe Mitchell, Hite Stoyell, and eight others. They were joined on the Little Heart by William Budge, D. M. Holmes, J. S. Eschelman, Thomas C. Hall, A. F. McKinley, G. H. McFadden, James Williams, Peter Grenden, William Myric, James Jenks, and fifty-three others. The party were scattered along the trail covering a distance of about four miles. Camping at Big Meadow the Indians stampeded twenty-seven head of stock and a party of fourteen went out to search for them. Thomas Cushing was in charge of this. Oscar Ward gave this writer the following account of the battle on his return from the Black Hills:

"We saw three Indians; one disappeared. Smith continued on the trail of the cattle, and the Indians fired on him, Smith returning the fire. George and I came up and advanced toward the Indians, skulking around the hills. We finally raised up quickly in order to draw their fire. Both fired, and then we raised up and gave it to them. One Indian rode away, and the pony of the other followed. Smith said we had downed one of them. Others of our party had come up, and we followed up and retook the cattle. There were many Indians off on the hills. We formed a guard around the cattle and the Indians began to circle around us. We drove the cattle from one hill to another, fighting all the way. We saw thirty-five Indians, and there were but fourteen of us. Scattered as we were, the Indians were too much for us.

"James Jenks and I were together. Billy Budge was in the party. All started, but we succeeded in stopping them, and we all made for the top of a high ridge. Smith and Jim Williams were ahead and got over the ridge about two hundred yards, when the Indians shot both Williams and his horse. His thigh was broken by an arrow. The Indians closed in on all sides, and we fought it out right there. Jenks shot one Indian as they attempted to cut off Collins, whose horse was shot, and who was also shot through the knee. It was wonderful what a jump that Indian made when the ball hit him. He went off hopping on one leg, making fearful leaps. Brother George was shot through the shoulder and his pony killed. He and Budge stood together. Another shot struck my brother, and Budge called to me that he was killed.

"George was the only one killed, Williams and Collins were the only ones seriously wounded. We lost seven horses on the hill and made breastworks of them when they fell. There were but two of the fourteen which were not injured.

"We saw one Indian strapped to his horse. Two were holding another on his horse. Another could not carry his gun and had one helping to hold him on his horse and another we knew Budge killed. Budge shot the chief. They seemed to get tired and went away. Williams fought like a tiger after he was down. We carried him and the body of my brother to camp, fourteen miles away, and buried him at Big Meadow.

"As we were about to start Tom Cushing said he would bet a horse that the Indians would be on the knoll where we were fighting before we got three hundred yards away. We were not two hundred yards away before there were two Indians on the knoll.

"Budge's horse played out on the way to the knoll. He had a narrow escape but he was a good shot and downed his Indian. Joe Mitchell and Smith rode around to our Indian, the one we had shot in the beginning of the fight. They found him badly wounded and finished him.

"We recovered seven or eight of the cattle but the Indians got away with the most of them. We saw Indian signs near the hills but we got through without much further trouble. We had a fight coming back in the fall and found one man, who, with a companion had formed a barricade of their goods and were fighting from under their wagon. One was killed and the other wounded, and yet they had stood off the Indians. We could not tell how many there were and yet their axle was shot all to pieces from the many shots that struck it.

"I never knew better fighters than Budge, Jenks and Collins. After this battle the boys were willing enough to stand their trick at guard duty."

DON STEVENSON, FREIGHTER

Don Stevenson, in a letter to Colonel Lounsberry in 1897, said:

"I was the contractor at Fort Rice until that was abandoned in 1877, when Fort Yates was built. I was the contractor at Fort Wadsworth in 1868, then known as Kettle Lakes. Wadsworth was built in 1864, with material hauled from Fort Ridgeley. It was located in the coteaus, twenty-two miles west of Big Stone Lake. I was contractor at Fort Abercrombie in connection with Judge McCauley. I freighted from St. Cloud to Fort Totten in 1866, and from Fort Stevenson to

Fort Totten, the supplies having been brought up the Missouri to that point by steamer.

"In 1876 I engaged in freighting to the Black Hills, running twenty teams, and established a supply store at Crook City, the first town in the Black Hills. That year I brought to Bismarck several hundred pounds of gold ore, which I delivered to Colonel Lounsberry, who sent it to the Smithsonion Institution at Washington. This and some rock brought to him by Capt. John W. Smith furnished the first conclusive evidence to the Government of the existence of gold in the Black Hills.

"I arrived at Big Meadow with my train from Bismarck just after the Oscar Ward party, of which Billy Budge was a member, had their great battle with the Indians. Theirs was the first train from Bismarck to the Hills. We found the remains of fourteen of their horses killed by Indians. We also found their abandoned wagons and the body of George Ward, killed in their battle. The Indians had dug it up and stripped it of clothing. Their marks were still fresh where they had struck it with their "coo" sticks. They had made a breastwork of their dead horses, and had fought with desperation, driving off the Indians. The fight was going against them until Billy Budge shot White Fish, their leading chief, when the Indians left and the party went on to the Hills.

"In 1877 I went to Fort Keogh, where I had a hay contract. I put in 3,800 tons of hay at $28 per ton, in 64 working days. I went across the plains from Fort Abraham Lincoln, making the first freight trail from the Missouri River to Fort Keogh. I had 95 wagons, 20 mowing machines and 10 horse rakes. There were 125 men in my party. I put in 2,200 tons of hay the same year at Fort Custer, and 5,000 cords of wood. McLean & Macnider, of Bismarck, were interested with me, and had put in $70,000 before they got a cent in return. The contracts amounted to $104,000."

CANADA INVADED AND INDIAN MURDERERS CAPTURED

W. C. Nash came from St. Paul to Grand Forks in 1863, with an expedition to capture Little Six and Medicine Bottle, who were leaders in the 1862 massacre. They camped where Major Hamilton now lives in Grand Forks. They found that Little Six and Medicine Bottle were on British North America soil, and as this was the time when our Government was having trouble in the Mason and Slidell affair, President Lincoln did not approve of doing anything to make greater complications between our country and England. The troops did not cross the line, but often individuals did. Nash's party sent out a Frenchman who brought the two Indians in. They were finally secured and bound and taken to Fort Pembina, where they were kept until spring, when they were taken to Fort Snelling, had a trial, were found guilty and hung.

The Indians were captured when drunk and were hurried across the line strapped to dog sledges. They awakened from their drunken stupor to find themselves in the log jail at Pembina. Frequent attempts were made to kill them by the apparently "accidental" discharge of firearms. Several times bullets passed through the clothing of Little Six, but the fates saved him for the gallows. Some of the crimes of which he was guilty were the most atrocious recorded in the annals of Indian warfare.

DANGERS OF COURIERS IN THE INDIAN COUNTRY

June 27, 1877, George W. Elder and James Gunder left Fort Abraham Lincoln bearing dispatches for the commanding officer at Fort Buford.

They left Fort Lincoln about 8 o'clock in the evening and were to ride by day or night, as they felt disposed, and reached Knife River on the 30th, about 5 o'clock; and after resting awhile, concluded to cross the Bad Lands and the Little Missouri before daylight the next morning. They had gone four miles when they saw eight Indians directly in front of them and about three-quarters of a mile off, and knowing it was impossible to run away, reached a butte some five hundred yards away. After dismounting and picketing their ponies on the side of the butte, they found shelter on top behind some rocks, when the Indians charged. They fired several shots, killing one pony and wounding an Indian. At this the Indians divided and rode on each side of the butte until they were within six hundred yards, when they dismounted and opened fire, but seeing the secure position the couriers were in, the Indians fired on their ponies, killing Gunder's and wounding Elder's. The Indians kept up a scattering fire till dark, when they withdrew.

Securing their rations and ammunition from their ponies, they continued their journey on foot, occasionally crawling short distances to escape observation. Reaching a place of supposed safety they waited until morning, when they observed two Indians on ponies a mile away. At dark they started again and made their way to the Missouri River, some thirty miles distant, where they hailed a passing steamer and were landed safely at Fort Stevenson and returned by stage to Bismarck and Fort A. Lincoln.

FAMOUS SCOUTS

William F. Cody (Buffalo Bill), famous scout and buffalo hunter, is frequently mentioned in these pages. He was a favorite of General George Crooks and other frontier commanders. He was assigned to assist the Indian Office in the attempted arrest of Sitting Bull on the occasion of his death. He passed away at Denver in 1917. His reputation was international and he was honored and feted by crowned heads in Europe and respected by all who knew him in the United States.

YELLOWSTONE KELLY

Luther Sage Kelly, residing on a ranch at Paradise, California, in 1917, known as Yellowstone Kelly, came to the Yellowstone region in 1868, and was engaged in carrying the military mail from Missouri River posts to Fort Buford at the mouth of the Yellowstone, and when attacked by two Sioux Indians on the Knife River, he killed both of them. Incidentally reporting the fact at a wood yard near Fort Stevenson, some visiting Arickaree Indians went to the locality of the fight, counted coos on the dead Indians and brought in their scalps, followed by the usual scalp dance and accompanying festivities. In 1870 he supplied the garrison at Fort Buford with wild meat. In 1873 he accompanied Colonel George A. Forsythe, of General Sheridan's staff, on a military reconnaissance up the

Yellowstone, of which the steamer Key West, commanded by Captain Grant Marsh, was a feature, on that occasion reaching the Little Big Horn, becoming the first steamer to invade the waters of the Yellowstone above Brasseaus post, touched by General Sully in 1864. George Grinnell, a trusted scout and noted frontiersman, also accompanied General Forsythe, the reconnaissance being preliminary to the Custer expedition of 1876, which resulted in the death of Custer and his men. He was with General Nelson A. Miles on his campaign against Chief Joseph, who surrendered to him in 1877, after one of the most brilliant fights ever made by warring chieftain. On their arrival at Bismarck the victor and his staff and the vanquished and his chiefs were tendered a banquet at the Sheridan House, and as they were leaving the banquet hall the village school mistress planted a kiss on the cheek of Joseph in token of her admiration for his brilliant exploits and devotion to what he conceived to be the interests of his people. The author was one of the originators of this unique entertainment in which Kelly participated. Joseph was not a ruthless warrior.

Mr. Kelly later entered the Indian service and retiring settled on his California ranch.

THE SCOUT THAT CUSTER LOVED

Charles Reynolds was the favorite scout of General George A. Custer. He came to the Missouri River in 1868, and in 1869 furnished Fort Rice with wild meat and in 1870, in connection with Joseph Dietrich, one of the earliest business men of Bismack, performed a similar service for Fort Stevenson and later for Fort Abraham Lincoln. One day in June, 1873, seven elk fell from his unerring rifle on Apple Creek, about five miles from Bismarck. He was on the Stanley Expedition of 1872, the Yellowstone reconnaissance of 1873, and the Custer Black Hills expedition of 1874. He carried to Fort Laramie in August, 1874, the official dispatches from General Custer, and a telegram to the Bismarck Tribune, which enabled this writer to give to the Associated Press that famous "Gold in the Grass Roots" telegram which first announced the discovery of gold in the Black Hills. He was with Major Marcus A. Reno when his command sought safety on the Little Big Horn bluffs. Reynolds' horse was shot, and, falling on him, he was killed by the Indians, first emptying his revolver, every shot costing an Indian life.

Charles Reynolds was born in Warren County, Illinois, in 1854, and became an expert hunter and fearless Indian fighter at 16, taking part in the troubles on the Fort Phil Kearney trail, afterward in New Mexico and Kansas. He entered the military service in the 16th Kansas, in which he served during the Civil War. His remains are buried near the Michigan University at Ann Arbor as the result of the loving respect gained by him from a professor of that institution who knew him on the Black Hills expedition of 1874.

JAMES A. EMMONS

James A. Emmons established one of the first business houses of Bismarck, being post trader at Camp Hancock and in charge of a stock of goods owned by John H. Charles of Sioux City. He established the steam ferry at Bismarck, built one of the first brick blocks, was the first and best patron of the Bismarck Tribune and later engaged in the publishing business on his own account. Mrs. Emmons, nee Nina B. Burnham, of Yankton, came to Bismarck a bride on the first steamboat to reach the place after the Northern Pacific crossing of the Missouri was located and became the mother of the first child born at the Capital City, and one of the founders of the North Dakota Historical Society, and a worker in all good causes. The Master may have had need of her, for he called her from their home at Pawnee, Oklahoma, in 1917. Mr. Emmons was also a human helper, in whose heart there was no guile. He was born at Guyandotte, Virginia, December 29, 1843. He moved to Missouri in 1853 and to Nebraska in 1854, soon thereafter becoming a cabin boy on the Mississippi and its tributaries. During the Civil War he was engaged in the U. S. Transportation Service. In 1865 he took a steamboat to the head of navigation on the Missouri, and, becoming attached to the country, carried out his purpose to settle at the Missouri River crossing when that point was settled in May, 1872, and at first called Edwinton, later Bismarck.

D. W. M'CALL, MINER

In 1873, D. W. McCall, an old California miner, "grub staked" by J. S. and E. T. Winston, opened a lignite coal mine near the mouth of Knife River, mining some two hundred tons, for which there proved to be no market. In 1874 McCall was appointed as special mineralogist on Custer's Black Hills expedition, and it was his spade which brought to the surface the gold in the grass roots, on which the Associated Press telegram was based announcing the discovery of gold in the Black Hills. He returned to the Black Hills in January, 1875, with R. R. Marsh, Joseph Deitrich, W. H. Stimpson and others and returned with fine specimens of gold used by Major John A. McLean and Colonel Lounsberry in work before Congress to secure the opening of the Black Hills. Returning to the Hills he was killed by Indians when on a prospecting tour in the spring of 1876.

CHAPTER XXXIII

PIONEER SETTLERS AND SETTLEMENTS IN NORTH DAKOTA

GRAND FORKS COUNTY

Aside from the trading posts of Henry and others, Grand Forks had its earliest beginning, so far as the records are concerned, with the organization of Pembina County, of which it was then a part, in 1867, though for five years it had been nominally a part of Chippewa County, which was never organized, but the real beginning of its history was in 1871, when John Fadden was granted a ferry charter across the Red River at that point at $21 per annum for a period of five years. July 3, 1871, Grand Forks was established as a polling place, the precinct commencing at the mouth of Turtle River, thence up that stream fifteen miles and then due south to the Goose River, thence down that stream to its mouth and up the Red River to the place of beginning. September 4, the place of beginning was changed to the mouth of Park River and west to the Pembina mountains. Thomas Walsh, John Fadden and S. C. Code were appointed judges of election, and the first election was held at the house of John Stuart, at the site of the present City of Grand Forks.

In 1873 Grand Forks County was established by act of the Legislature, and George B. Winship, John W. Stuart and Ole Thompson were appointed by the Legislature to organize the county. Its boundaries as then organized were later changed, a part going to Walsh County and a part to Nelson.

In 1873 Frank Veits, who had been in business two years at Georgetown, took charge of the interests of the Hudson's Bay Company at Grand Forks, including their Northwestern Hotel, and in 1875 purchased their interests in store, hotel and town property. In 1877 he built a 50-barrel-a-day flouring mill, an improvement of greater importance to North Dakota than any other at that time, settlers coming from points as far as one hundred miles with grist to be ground at this mill. He built the Veits House, later known as the Richardson, and later he and associates built the Dakota House.

Among the first settlers at Grand Forks, in 1871, were Capt. Alexander Griggs, Michael L. McCormack and Thomas Walsh, the latter bringing a sawmill. Nick Huffman kept the stage station, John Fadden the ferry, W. Clark and D. F. Reeves, George B. Winship, William Budge. These, with the Hudson's Bay Company store and hotel were about all of Grand Forks in 1871.

Reeves built several boats that summer at Grand Forks. The engine from the Walsh sawmill was finally sent to Winnipeg and used on the Saskatchewan. Burbank, Blakely & Carpenter put on a line of stages from Fort Abercrombie to Pembina in 1871. The Hudson's Bay Company had maintained a post at Georgetown for many years prior to 1873, when they moved to Grand Forks. They had stations also at Frog Point (now Belmont), Traill County and Goose River (now Caledonia), and at Red Lake. Their post at Red Lake was established in 1797 and in 1801 a post was established and for several years maintained at Grand Forks.

LARIMORE, GRAND FORKS COUNTY

Larimore takes its name from N. G. Larimore, principal owner and general manager of the Elk Valley Farm, which immediately adjoins the city. The farm consists of 15,000 acres, of which 10,000 are under cultivation. In the plowing season plows start on this farm at breakfast and without stump, stone, or other obstruction, make a furrow six miles in length and in returning make another of the same length before dinner. In the afternoon they repeat, men, teams and plows traveling twenty-four miles daily. The teams in plowing, seeding and harvesting go in gangs. The forty-three harvesters, cutting 600 acres daily, form an impressive scene.

The selections of land for this farm were made soon after the surveys in 1878, and the opening of the land to settlement in 1879. Then Larimore was conceived and in 1881 the site was laid out. The railroad reached Larimore December 25, 1881. The city was laid out on the lands of the Elk Valley Farming Company, and Senator W. N. Roach became the agent for the sale of lots.

Senator Roach landed at Larimore in August, 1879, and opened the stage line from Grand Forks to Devils Lake, carrying the first mail, being the contractor.

The railroad was completed to Larimore Christmas Day, 1881, from Grand Forks, and from Casselton to Larimore in 1883. In 1884 it was extended to Park River.

Beginning with 1882, Larimore entered upon a boom period lasting about three years. In 1882 it was the principal trading point for a vast extent of country and it prospered beyond comprehension, almost. The lands were productive; prices for products were high and the farming lands were being developed, creating a demand for supplies of every class, and its population soon exceeded one thousand. The wheat receipts from the crop of 1882 were 300,000 bushels.

The railroad grading commenced west of Larimore in September, 1882, and reached Devils Lake that fall, and the track laid to Bartlett and to Devils Lake the next summer. The country about Larimore developed rapidly and many other farms developed, ranging from 320 to 2,500 acres. Here land could only be obtained by means of purchase from actual settlers or by the use of the various forms of land scrip, limiting the size of farms in comparison with Cass and Traill counties, where the odd sections were acquired by the use of discredited railroad bonds.

Visited by the World's Fair Foreign Commissioners in 1893, this farm attracted world-wide attention and immediately gained a reputation quite equal to the Dalrymple Farm and the Grandin farms of even greater acreage.

Col. O. M. Towner located the land for this farm and it was through his agency the title was acquired for the Missouri corporation which owned it.

Other noted farms in this vicinity were the New York Farm, owned by James H. Mathews, the Hersey Farm, by D. H. Hersey, and the Emery Farm at Emerado.

CASS COUNTY—WHY THE LARGE FARMS WERE ESTABLISHED

Before the failure of the Northern Pacific Railroad Company in 1873, Casselton was selected by George W. Cass and Peter B. Cheney, leading spirits in the Northern Pacific enterprise and directory, as the site of an experimental farm, with a view to proving the fertility of the Northern Pacific lands.

It was conceived that timber could be planted along the right of way of the Northern Pacific Railroad, and that it would not only afford protection from snow, answering the purpose of snow fences, but it would furnish timber to replenish the ties as those in use fell into decay. It was thought that by planting willow and cottonwood in the first instance, settlers could be supplied from the right of way, or from the nurseries, which it was intended to establish every twenty miles, and thus encourage the general planting of timber which would modify the climate, break up the winds, and tend to relieve the drouth on the plains. Accordingly, in 1872, timber was planted along the right of way from Fargo to about Jamestown. Cuttings were procured from the forests along the Red River and were plowed under, the prairie sod simply being turned upon them. Most of the cuttings were dead before planting, but had they been in the best condition not one in a million could have grown, for the ground had not been properly prepared to receive them. Eighty thousand dollars was spent in this experiment, and it is doubtful if a single tree was produced.

In the spring of 1873 Col. John H. Stephens, of Minneapolis, was employed to take charge of the tree planting on the Northern Pacific Railroad and he established a nursery for growing forest trees at Casselton, placing Mike Smith of Minneapolis in charge. Mike planted trees and grew vegetables.

Smith's house was a Northern Pacific box car banked with sod to the roof, making comfortable quarters even in a 40 degrees below zero temperature; being furnished with bunks and his table supplied with "all the luxuries the country afforded," prairie chickens and ducks in their season.

Colonel Stevens was succeeded by Leonard B. Hodges, who took charge of the tree planting on the Northern Pacific. William Creswell in 1876 became agent for the Northern Pacific Railroad and for their nursery, and postmaster at Casselton.

Colonel Stevens caused a large number of tomato plants to be placed on Colonel Lounsberry's homestead at Bismarck. They flourished and gave great promise, as did five acres of beans, but a few million grasshoppers came in on a gentle breeze and in half an hour there was not a green thing left on the ranch.

The selection of the Dalrymple farm and Dalrymple to take charge of it was an incident of the Northern Pacific failure of 1873. The lands were selected by J. B. Power in 1874 and improvements commenced the next year. J. B. Power was then agent for the land commissioner of the Northern Pacific Railroad, William A. Howard of Michigan, who was afterwards governor of Dakota and died in office.

About two thousand acres had been put under cultivation and settlers had commenced to come into the country, when in 1877 the townsite was laid out at Casselton and William Creswell, the company's agent, erected the first dwelling.

The great Dalrymple farm is in the immediate vicinity of Casselton, a part in the corporate limits. It embraces the Cass, Cheney and Alton farms, and several farms owned by Dalrymple. About fifteen thousand acres in all. The land was selected in 1874, was broken in part in 1875, and the first crop in 1876, the amount under cultivation being largely increased in 1877-8 and succeeding years.

It was purchased with discredited Northern Pacific Railroad bonds, some of which cost Mr. Cass and his associates par value, and some from 10 to 20 cents on the dollar. The farm was opened as an experiment and for advertising purposes; it became a bonanza to its owners and led to an era of big farming in North Dakota.

BARNES COUNTY

This county was created January 4, 1873. Originally the county was called Burbank, so named for John A. Burbank, governor of the territory from 1869 to 1874, but by an act of the Legislature, July 14, 1874, the name was changed to Barnes in honor of Alphonso H. Barnes, who was an associate justice of the territory at that time.

The first survey of lands in Barnes County was made by Charles Scott and Richard D. Chaney in 1872. Their work was approved by the surveyor general in January, 1873, and filed in the land office at Pembina in September, 1873. The lands were made subject to preemption and homesteading May 19, 1873.

The first settlers were at Valley City in 1872. County Commissioners Christian Anderson, Otto Becker and A. J. Goodwin, appointed by Governor William A. Howard, organized the county, August 5, 1878. There is no record of their doings. The new board, elected in 1878 were, Christian Anderson, F. P. Wright and Chris Paetow. L. D. Marsh qualified as register of deeds, Joel S. Weiser as county treasurer, D. D. McFadden as sheriff, E. W. Wylie as assessor, Joel S. Weiser as justice of the peace, Otto Becker as superintendent of schools, James Le Duc as coroner, B. W. Benson as judge of probate, at the meeting of the board of county commissioners, January 6, 1879. George Worthington and L. D. Marsh were the promoters of county organization and dealers in real estate. Valley City, at first known as Wahpeton, became Worthington and later Valley City. Marsh and Worthington contracted with the railroad company that all of the railroad lands in townships 139 and 140, range 58, should be reserved for them at $3 per acre, payable in the bonds of the company, then worth about nine cents on the dollar, but the contract carried a provision for improvements and reserved section 21, in town 140, on which it was proposed to build a town. It was agreed, however, that any settler on this reserved land should have the privilege of purchasing a town lot at $5, or an acre outlot for $5, but to persons other than settlers on the Marsh-Worthington contract the price of lots was to be $10, and for acre property $25. Five-acre lots were to be sold at $75, and ten-acre at $100. This contract was for the year 1874, but there was provision for its extension.

D. D. McFadden, the oldest settler in Barnes County, filed the first preemption entry in October, 1873, but had previously raised a crop, 150 bushels of potatoes on six acres, also some wheat, specimens of which were sent to the St. Paul fair and received a premium. W. N. Gates made an entry on public land November 25, 1874, on section 24, township 140, range 58.

Other early settlers, with the year of their arrival, were: F. P. Wright, 1874; Otto Becker, '77; Arne Olson, '77; J. S. Weiser, '77; James Daly, '76; Christian Anderson, '76; Con. Schweinler, '77; Herman Starkey, '78; Andrew Widen, '78; P. P. Persons, '78; Wm. Schultz, '79; Wm. Kerncamp, '79; D. N. Green, '79; N. P. Rasmussen, '79; Wylie Nielson, '79; Hugh McDonald, '79; John Holmes, '80; M. E. Mason, '78; Sim Mason, '79; Louis Humble, '79; A. M. Carlson, '78; George Larsman, '77; A. A. Booth, '79; M. O. Walker, '77; Aaron and Jacob Faust, '80; George Stiles, '79; Thomas Olson, '78; Jens Jenson, '78; Robert Bailie, '80; Samuel Fletcher, '80; M. B. Hanson, '78; John Lawry, '79; Ben Smith, '79; Ed Fox, '80; George W. Critchfield, '78; P. O. King, '78; O. P. Hjelde, '80; J. F. Walker, '80; Andrew Andeberg, '79; James Rogers, '78; John Marsh, '79; Jacob Baumetz, '78; C. L. Etzell, '79; H. H. Randolph, '80; George C. Getchell, '78; John Simons, '79.

EARLY DAYS AT JAMESTOWN

In 1872 there was a post established at Jamestown, at first called Fort Cross, in honor of Major Edwards' old commander, but later changed to Seward, in honor of William H. Seward. Camp Thomas was the immediate predecessor of Fort Cross. The same year Fort McKean was established opposite Bismarck, but was changed in name to Fort Abraham Lincoln. Its immediate predecessor was Camp Greene. At the same time Camp Hancock was established at Bismarck.

Captain Thomas was the first in command at Jamestown, but the commanding officer at Fort Seward was Captain Bates, son of Attorney General Bates, of Lincoln's cabinet. Later, Capt. J. H. Patterson. Capt. Thomas Hunt was the quartermaster. In December, 1873, Colonel Lounsberry paid $75 for a team to take him from Bismarck to Jamestown. The only settler between Bismarck and Jamestown was Oscar Ward, five miles east of Bismarck. There was a dug-out covered with railroad ties kept by the section foreman about where Sterling is and a discharged soldier (Sam McWilliams) had a dug-out and shanty at Crystal Springs. There were a few persons at Jamestown. Vincent kept the section house at Lake Eckelson, Flood kept a stopping place at Valley City, Mike Smith at Casselton, and Mrs. Bishop at Mapleton. There was a place kept by Duffy, also, in the vicinity of Tower City.

A. W. Kelly, the first settler at Jamestown, was born at Calais, Maine, December 17, 1832, and came to Fort Abercrombie in July, 1861. On the way to Abercrombie, for which point he left St. Paul on the day of the battle of first Bull Run, he met the regular troops from Abercrombie, they having been relieved by a portion of the Third Minnesota, under Captain Inman. He was later at Georgetown and sawed the lumber for the International, built by J. C. Burbank & Co., to run between Abercrombie and Winnipeg. The first boat was the Ans. Northrup, which was built at St. Anthony, as the H. M. Rice, sent up the Mississippi to near Brainerd and hauled overland to Georgetown. It was pulled over the rapids at Sauk Rapids by means of ropes, this in 1859. In 1861 Mr. Burbank bought the old Freighter, which had been running on the Minnesota River, sent it up to Big Stone Lake and tried to get it over into the Red River by water, but it was a day or two late and it became stranded. The machinery was taken out, hauled overland to Georgetown, where the International was built, as stated, and sold to the Hudson's Bay Company. The next boat was built by Hill, Griggs & Co., the Selkirk, in 1871.

Mr. Kelly was quartermaster's clerk at Wadsworth the winter of 1865-66 and was the contractor at Fort Totten, built in 1867. Having a lot of surplus beeves when the Northern Pacific came to be extended, he drove 130 head down to Jamestown, where he located on May 9, 1872, and in December of that year became postmaster, which position he held until Mr. Cleveland came into office in 1885, when he resigned.

After Mr. Kelly, Robert Macnider was the next to locate at Jamestown, where he opened a stock of goods in a tent. Nathan Myrick was next with a post trader's store, also in tents. F. C. Myrick had charge. George W. Vennum and Archibald McKechnie were the next to locate, and they erected a large tent for hotel purposes, which they called the Cabinet. Within ten days several others came, among them Loring, Black & Co., of Minneapolis, with the railroad supply store. Smith & Bussey established the Jamestown Hotel, also in a tent. The Chapman House tent was also erected. John Mason established a wholesale liquor tent, with James Lees in charge. John Clayton (Limpy Jack), Mike Norton, Jacob Fra, Pat Moran and Jack White, afterwards famous in Bismarck, were in the saloon business, all in tents. Sullivan ran a dance house and H. T. Elliott a blacksmith shop. A little later Hubbard, Raymond & Allen established a store. John Whalen had charge. That fall they sold to Belmont Clark and Ward Bill and in the spring Raymond & Allen established a store at Bismarck, followed by Clark & Bill, Robert Macnider, Jack White, John Mason, and others.

Kelly, Lees, Moran, Clayton, Fra, Vennum, H. C. Miller, George J. Goodrich and his sons, J. W. and Talcott, remained at Jamestown. Then Dennis Kellihor, who had come up from the Union Pacific with Colonel Brownson, agent at Bismarck, took the section house and made a fortune in hotel keeping at Jamestown, but fortunes must be carefully guarded in order to abide and Dennis died poor. His hotel was popular and diverted much of the trade from the Dakota in its early days.

Later Mr. Kelly put in a store and Myrick having sold his establishment to H. C. Miller, Kelly and Miller were the only merchants at Jamestown for several years. Anton Klaus was the first to break in on them. In the very early days L. G. Bouret had run a store and saloon in connection with his beef contract for Fort Seward. He gave the outfit, building and all, to Joseph Perre.

Stutsman County, named for the late Hon. Enos Stutsman, of Pembina, was created January 4, 1873, and organized June 20th, with A. W. Kelly, George W. Vennum and H. C. Miller, county commissioners. George W. Vennum was appointed register of deeds and county clerk; Archibald McKechnie, sheriff; Henry T. Elliott, assessor; A. B. Innis and George J. Goodrich, justices of the peace; Chas. D. Thompson and Myrick Moore, constables; F. C. Myrick, auditor, and Patrick Moran, judge of probate and ex-officio county treasurer. The liquor license was fixed at $30 per annum, and this seems to have been the only source of revenue until 1879, when the first taxes were levied. The liquor licenses issued in 1873 were to Thompson & McKechnie, Phillip A. Baigs, Patrick Moran, L. G. Bouret, Mike Norton, James Lees and Jacob Fra. Groff resigned and S. G. Comstock was retained as county attorney, though living in Moorhead. The Bismarck Tribune was the official paper. There was an election held in 1872, but there was no record kept of it. The election of 1873 was at the home of H. T. Elliott, and A. W. Kelly, Frank C. Myrick and Antoine Pelisser were the judges of election.

At the first meeting the board of county commissioners voted their pay to the county. The total expense of the county up to January 5, 1874, was $89.35, and there was then a balance in the treasury of $68.05. Thomas B. Harris, who was the first station agent, was county auditor later, and Hugh McChesney, who was an employe at Fort Seward, was later judge of probate.

The Jamestown town organization was made by the county commissioners at their session of June 20, 1873, when Duncan R. Kennedy, Merritt Wiseman and T. B. Harris were appointed supervisors and F. C. Myrick clerk.

There seems to have been an aching void in the matter of office-holding in 1875 and 1876. The records do not show any meetings of the board, but then there were no taxes, and offices without taxes are not popular. In 1876 Kelliher was elected to the Legislature, but he was kicked out the last day of the session in order to give his contestant mileage and per diem. H. C. Miller was then sheriff, Ed Lohnes, who carried the mail to Fort Totten, and J. W. Goodrich, were his deputies.

In 1878 the first provision of record was made for a county building and for proper record books. Up to that time the records are on foolscap, bound with brown paper. The old courthouse was erected in 1879 by Peter Aubertin of Fargo, at a cost of $2,194. The new courthouse was built in 1883 at a cost of $35,000. It is modeled after the courthouse of Jefferson County, Wis.

The real life of Jamestown commenced in 1878, when Edward Koffer resurveyed the townsite for the railroad company and Anton Klaus located and purchased his interests. The courthouse and all of the churches, excepting the Episcopal, are on the Klaus tract. He built the Dakota, later the Gladstone, and is entitled to be designated the father of Jamestown.

THE FIRST SETTLER AT WAHPETON

Morgan T. Rich, for whom Richland County was named, made the first settlement at Wahpeton July 22, 1869. Mr. Rich visited the Red River Valley in 1864, when he crossed over the plains from Fort Ridgeley, Minn., to Helena, Mont., as one of a party having 122 wagons going to the mines. They were escorted to the Missouri River by Minnesota troops, and from Fort Rice, on the Missouri River, to Glendive, Mont., by General Sully, whose command numbered about four thousand cavalry and mounted infantry, and he had a train of two hundred or more wagons of his own. Anson Northrup was his wagon master.

Arriving at Glendive, Rich's party crossed the Yellowstone, intending to go over the mountains directly from that point, but were turned back by Indian alarms, and went down the Yellowstone to old Fort Union, and from thence without escort on to Helena, on the north side of the Missouri, via Forts Peck and Benton, and Great Falls.

Captain Rich remained in Montana till 1868, when he returned to his old home at Red Wing, and in 1869 came to the Red River Valley and located at Wahpeton, as stated. The St. Paul & Pacific Railroad had then been extended as far west as Smith Lake, in Wright County, Minn., and was pushing on toward the Red River.

Rich remained alone at Wahpeton until May, 1871, entertaining an occasional immigrant en route down the valley. His garden was known as a model, and Mr. Rich as a successful farmer in a small way. He secured a ferry charter from the commissioners of Pembina County, and by the time immigration commenced in 1871 was ready to transfer the wanderers across the Bois des Sioux, near its confluence with the Ottertail. These streams united from the Red River. Mr. Rich operated the ferry until 1876, when a bridge was built by subscription.

In May, 1871, Mr. Rich was joined by Alvah Chezik, Matt Lawrence and Simon Woodsum, young men without families. In July, a party of forty or more settlers, en route from Yankton to the Goose River country, camped at Richville, as the place of the ferry was then called. Two of these, viz.: William Root and William Cooper, returned in a day or two, Root having purchased at McCauleyville a claim adjoining that of Rich, on which Mr. Trott had made improvements. Rich's claim became the original plat of Wahpeton and Root's an addition. Cooper was accidentally killed while hunting. Root is still in Richland County.

Folsom Dow, J. W. Blanding, and J. Q. Burbank were the first settlers after Captain Rich, and Folsom Dow was appointed the first postmaster at Richville, as Wahpeton was at first called. It appears on the first records as Chahinkapa, signifying the end of the woods, but the name was not acceptable, and never came into general use. Valley City was then known as Wahpeton, but before its postoffice was established Richville postoffice was changed to Wahpeton, taking its name from the Indian tribe of the vicinity.

In 1872, Samuel and Benjamin Taylor settled at Wahpeton and opened up farms, Samuel having a farm of 640 acres and Benjamin 960. Root had broken forty acres the season before and there was a farm of forty acres or more in connection with the military post at Fort Abercrombie. The Formanecks, father and sons, and other families related to Chezik, had come in from Wisconsin.

Major M. H. Bovée, of national reputation, from having given the republican party its name on its organization in 1856, came with D. Wilmot Smith, and Ransom Phelps and M. P. Propper were among the early settlers. Mr. Bovée moved to Morton County.

Richland County was organized in 1873. J. W. Blanding, D. Wilmot Smith and M. T. Rich were the first county commissioners. Hugh R. Blanding was clerk and register of deeds, William Root, sheriff and assessor, Ransom Phelps, judge of Probate, Emma A. Blanding, superintendent of public instruction, John Q. Burbank, treasurer and county surveyor, Albert Chezik, constable, George B. Spink and Washington Howe, justices of the peace. Frank Herrick was overseer of Road District No. 1, L. J. Moore of District No. 2, and David Lubenow of District No. 3. The county seat was located at Wahpeton, then called Chahinkapa.

In connection with his ferry, M. T. Rich laid out the townsite of Wahpeton. Next to his house, the first building erected was a store by Jacob Mourin, who was killed by lightning while washing windows, within a month from the time he opened up for business. John Kotscheaver succeeded him and remained in trade till 1885, when he was succeeded by his brother, Jacob. M. T. Rich and John Q. Burbank erected a building 16x22, which was used for county purposes after the organization of the county.

Miss Mary Keating, afterwards Mrs. Shea, taught the first school at Wahpeton, and Miss Sarah Rich, the second.

BURLEIGH COUNTY ORGANIZED

Burleigh County was organized by the appointment of John P. Dunn, James A. Emmons and Wm. H. H. Mercer, county commissioners, by Governor John L. Pennington. They met on July 16, 1873, and appointed as officers Dan Williams, register of deeds; J. S. Carvelle, judge of probate; John E. Wasson, county attorney; Wm. Woods, sheriff; and Dr. B. F. Slaughter, coroner. They met again on the following day and appointed Linda W. Slaughter superintendent of schools.

In the spring of 1873 Mrs. Slaughter and her sister, Miss Aidee Warfield, organized the "Bismarck Academy," which they taught gratuitously until August, when a school district organization was effected, and it became the free public school of the district and was held in the new Congregational Church then situated on the present courthouse block, with Miss Warfield as teacher. This formed the beginning of the present splendid school system of Burleigh County.

The following is a list of the old settlers who came to Burleigh County before the completion of the railroad on June 5, 1873. All those marked with a * came to Burleigh County prior to May 1, 1872:

*Louis Agard, Jesse Ayers, *Wm. Anderson, Charles Archer, *P. H. Byrnes, *George Bridges, Ed Burke, *N. W. Comerford, Joe Bush, *John Coleman, J. Collins, J. S. Carvelle, *S. H. Carahoof, Joe Courtous, *Ed Donahue, John Duffee, T. P. Davis, J. A. Emmons, *Mike Foley, George Framer, A. Gilbert, *Barney Aaron, I. C. Adams, *Strong Beer, J. B. Bailey, *E. N. Corey, Geo. Cunningham, John Carnahan, R. M. Douglas, Dan Eisenberg, Robert Farrell, J. B. Ford, *C. A. Galloway, *F. F. Girard, W. Hollowbush, Wm. Howard, H. U. Holway, Peter Dupree, Joe Dowling, Fred Edgar, *Mike Feller, R. Farrell, J. M. Gilman, *A. Agard, Sam Ashton, *Harry Rose, Geo. Buswell, *C. Collins, *John Conrad, C. M. Clarck, *Joe Deitrich, *Harry Duffee, John P. Dunn, B. Egan, A. Fisher, *Chas. Gray, G. Galbraith, J. M. Guppy, *John Hogan, *L. Hunter, M. A. Hutchins, —— Hildebrand, C. A. Lounsberry, *J. A. Joyce, M. H. Kellogg, Wm. Lawrence, *W. H. H. Mercer, *C. H. McCarthy, *Bernard Martin, J. C. Miller, R. R. Marsh, A. McDonald, Fred Miller, *R. O'Brien, P. Ostlund, *John H. Richards, Wm. Regan, *John Schwartz, W. B. Shaw, B. Frank Slaughter, G. G. Thomas, *E. A. Williams, James Wickerson, Ed Whalen, R. D. Gutschell, *John J. Jackman, D. R. Kagonie, *Barney Lanningan, Con Lowney, *Joe Miller, *Sam McWilliams, *J. G. Malloy, R. L. Donigal, H. M. Neil, Chris Hehli, John Mason, Thomas McGowan, E. O'Brien, J. W. Proctor, Dan Rice, Thos. Riley, *J. S. Souter, F. S. Snow, *Jos. H. Taylor, *Dan Williams, Thomas Welch, John Whalen, Lovet Gill, *Jake Houser, *Edmond Hackett, Albert Hill, Dennis Hannafin, N. H. Knappen, R. Lambert, Chas. Louis, *J. D. McCarty, *D. W. McCall, *D. W. Marshall, J. M. Marsh, John McDevitt, Mike McLear, Ed Morton, M. O'Brien, John Ostlund, John Ross, E. J. Robinson, H. N.

Ross, *Henry Suttle, *William Smith, Pat Smith, M. Tippie, *C. W. Vandegrift, John E. Mason. *Wm. Woods, Wm. Sebrey, John Sebrey, Jerry Haly, F. C. Hollembeck, A. Harvey, *John Kahl, *John Luther, S. F. Lambert, *Adam Mann, John McCarthy, *Peter Malloy, *John W. Millet, L. T. Marshall, Barney McCoy, E. McDonald, A. McNeil, P. O'Brien, *J. W. Plummes, *Frank Riley, Thos. Reynolds, J. C. Miller, *John Skelly, N. Leverane, Chas. Tobin, B. T. Williams, Alfred Walker, John White, Mike Whalen, *Geo. A. Joy.

WALSH COUNTY EARLY HISTORY

In 1862 Walsh County was included in a region known as Kittson County, and in 1867 was included in Pembina County, which then extended from the Red River west, taking in Cavalier County, and south to the Sheyenne. Voting precincts were established at Park River, now in Walsh, Stump Lake, now in Nelson, Dead Island, now in Cavalier, and Sheyenne, now in Cass, the latter taking in most of Walsh, Grand Forks, Traill and Richland counties. The voting place was near Georgetown, then a Hudson's Bay post.

In 1871 the Grand Forks Precinct was established, taking in Grand Forks, and part of Walsh and Traill counties, and west to the Pembina Mountains. The voting place was at the house of James Stuart at Grand Forks. Thomas Walsh, S. C. Code and John Fadden were appointed judges of election. The northern limits of the precinct were Park River, the Goose River formed the southern boundary and the crest of the Pembina Mountains the western boundary.

WALSH COUNTY ORGANIZED

In 1873 Grand Forks and Cass counties were created from a part of Pembina, and in 1881 Walsh from parts of Grand Forks and Pembina, and was organized August 30, 1881, Governor Ordway having appointed George P. Harvey, William Code and Benjamin C. Askelson county commissioners. They appointed Jacob Reinhardt, sheriff; E. O. Faulkner, judge of probate; K. O. Skatteboe, treasurer; Eugene Kane, surveyor; Dr. N. H. Hamilton, coroner; Dr. R. M. Evans, superintendent of schools; John Harris, Charles Finkle, J. A. Delaney and William Richie, justices of the peace. John Ross, Thomas Trainor, G. W. Gilbert and Whitefield Durham, constables. P. J. McLaughlin was later appointed state's attorney and John N. Nelson assessor. The judge appointed W. A. Cleland clerk of the court, and under a special act of the Legislature Edwin O. Faulkner became the first county auditor.

Settlements commenced on points on the Red River in 1870, and in 1874 title was secured to lands in Walshville in anticipation of laying out a village. A town was later laid out at Acton, then known as Kelly's Point, by Antoine Girard, and here the first mercantile interests, aside from the old Indian and Hudson's Bay posts, were established by Jacob Eshelman, William Budge and W. J. Anderson.

In 1881 and the following year settlers commenced making their homes on the Red River, on the Park and the Forest, and by 1881, when the county was created, it is estimated there were 800 people in the county. School districts and towns had been organized either as a part of Grand Forks or Pembina and Acton had become a village, and a newspaper, the Acton News, later moved to Grafton, becoming a part of the News and Times, had been established.

Grafton was an incident of the railroad construction of 1881. The land on which it was located was entered in 1878 by T. E. Cooper, who secured the establishment of a postoffice early next year, and in July, 1879, regular mail service from Acton to Sweden via Grafton was commenced. The postoffice was called Grafton, in memory of Mrs. Cooper's old home in Grafton, New Hampshire. Mr. Cooper built the first hotel at Grafton.

The first teacher in the schools of Grafton was Joseph Cleary. He was succeeded by Mr. W. J. Shumway. Mr. Shumway was assisted by Mrs. E. S. Mott. Mr. Shumway was succeeded by Mr. A. McCully as principal. Mr. McCully was assisted by Mr. D. C. Ross and Miss Kate Driscoll. The schools were not thoroughly graded until the fall of 1885. The territorial Legislature of 1885 passed an act creating the City of Grafton a special independent district; the government of the schools is today under the same act, and it has been found on the whole satisfactory.

This act was approved by the governor March 9, 1885, and the first board under that was elected April 7, 1885. It consisted of five members, two at large and one member for each of the three wards. This board consisted of Messrs. William Tierney, C. A. M. Spencer, H. C. Upham, F. E. Chase and E. O. Faulkner. The board organized with F. E. Chase as president and E. O. Faulkner clerk. Its first business was to bond the district for $15,000 to erect the main part of the central building. This was built during the summer of 1885. It is two stories high, built of brick and contains six large school and two recitation rooms. In August, 1885, Mr. J. C. P. Miner, a graduate of Harvard University, was engaged as principal, with Misses Mary D. Mattison, Kate Driscoll and Lucy Killeen as assistants.

PARK RIVER

Park River was a wheat field in 1884 and the wheat was removed to make way for the townsite and was first known as Kensington.

The first settler in the vicinity of Park River for agricultural purposes was Charles G. Oaks, an old Hudson's Bay Company employe, who settled at what was afterward known as Kensington in November, 1878, and those who came later constituted what became known as the Scotch settlement. The next and now the recognized oldest settler, was Charles F. Ames, who settled January 16, 1879. Among the other names recalled by the old settlers were William and Alex Bruce, James Smith, George Brown, James Maloney, Ed Carman and George Kennedy. Hans Robertson was the first in the Norwegian neighborhood and dates his settlement also from January, 1879. There were no settlers west of him at that time and few indeed between what is now Park River and Grand Forks. Accompanying Hans Robertson were Andrew Y. Anderson, Thomas Thompson, Iver Iverson and Knud K. Halstad and Peter Sager. The Kensington settlers came from Canada; the Scandinavians from Iowa, stopping first, however, in Traill County.

In 1879 Charles H. Honey and John Wadge, brothers-in-law, came from their Canadian home in Kensington, where they selected land.

Wadge remained and Honey came on the next season, followed by other relatives and friends. Other settlers in 1879 were Thomas Wadge, George Nicklin, William, Edward and Benjamin Code, William Craig, E. O. Faulkner, John and Fred Robb, Peter Campbell, Alexander Smith, William Davis, R. B. Hunt, William Burbridge and John Baird.

The postoffice was established at Kensington in February, 1880, with E. O. Faulkner postmaster. It was served from Sweden. Later the office was moved to the home of C. H. Honey, Mr. Faulkner having become county auditor, and later it was discontinued and Park River established in its stead, when C. H. Honey became the first postmaster at Park River.

THE CANADIANS CELEBRATE JULY 4

An amusing incident is related of the first settlers in the Scotch settlement. The settlers all came from Canada and knew little of the customs of the people of the United States and still less of their traditions, but they had sworn allegiance to the Government and felt in honor bound to celebrate its natal day. Accordingly a preliminary meeting was held for the arrangement of a program and during the rambling discussion some one suggested that the Declaration of Independence should be read. "And what is that?" was the quick response from the crowd. Accordingly Thomas Catherwood, the settlement's first teacher, was called upon to read it for the information of the meeting. It was at once recognized as a fit thing to be presented on such an occasion.

In the fall of 1879 the grass was especially heavy. At some points it was higher than a horse and generally on the low lands as high as a wagon box. A dense smoke indicated a prairie fire. The settlers turned out and plowed a fire break three furrows wide and eight miles long, but it had no greater effect than a tow string toward stopping the progress of the fire. Hay stacks went up in flame when the fire apparently was still fifteen rods away. John Robb of the force making the fire breaks was caught by the flames and, unable to escape, rushed through them. His heavy beard and brows were completely burned. It was a close shave, literally, and it was a narrow escape for his life. The cattle escaped to the river and it was hours before they could be gotten from their place of refuge.

By June, 1880, almost every claim was taken, the settlers coming in in groups of all sizes, from two or three families up to twenty. The "prairie schooners" were seen moving at all times of day and in every direction the squatters were seen making the improvements necessary to hold their claims. There was no opportunity for large farms. Few indeed suceeded in securing more than one claim of 160 acres. Occasionally a son, daughter or sister, or acommodating friend used their rights to help out the family. The land was not surveyed till 1879 and not open to filing until 1880.

Most of the early settlers took claims near the river and divided up the timber partly in a spirit of accommodation and partly in order to bring the settlement closer together. Hence most of the first claims were a quarter of a mile wide and a mile long.

BOTTINEAU COUNTY

Bottineau County was created by act of Dakota Legislature, January 4, 1873. It was named for Pierre Bottineau, probably the first white child born in North

Dakota, about 1812. He was born to a family of French voyageurs associated with the fur companies then trading with the Indians at all points in North Dakota where furs were caught or accumulated, engaging often with the Indians on the buffalo hunts. Charles Bottineau, a brother of Pierre, was the first considerable farmer in North Dakota, and as early as 1870 had a farm of about one hundred acres under cultivation at Neche, where he had been engaged in farming long before any particular attention had been attracted to the Red River Valley. Indeed the first settlement in the valley for agricultural purposes was in the fall of 1870 and spring of 1871, while the census of 1870 shows about 1,200 halfbloods in North Dakota. They practically all originated from the voyageurs and traders connected with the Hudson's Bay Company, occupying the lower Red River country, and the American Fur Company, occupying the upper Missouri River and its tributaries as well as the James. Both classes occupied the Pembina and Turtle mountains and became associated with what is known as the Turtle Mountain band of Indians now numbering about three thousand. Some of these were of Canadian origin and some of American, but whether American or Canadian they roamed over the prairies hunting, now selling their catch to traders in the field or taking them to Fort Garry, now Winnipeg, where churches and schools were built and they were taught in the ways of civilization.

They congregated for a time at White Earth, Minn. Some of them were drawn into the Riel rebellion in Manitoba and many received land and other benefits in Canada after the settlement of that affair, even though of American origin. The real estate speculators of Winnipeg followed them to this side of the line and paid their expenses to that city and return in their efforts to get them to claim land which it was desired to buy. Many yielded, signing papers and taking money without knowing what they were doing, being called upon only to touch the pen and take the money that was offered them.

In 1870 they settled in the Turtle Mountain region and claimed under alleged treaty rights practically the whole country north of Devils Lake and west of the Red River. This was so far recognized as to assign them by executive order thirty-six townships and this was later reduced to two townships, situated just west of Rolla. The remainder was thrown open to settlement, which commenced in Bottineau County in 1883.

In 1882 there were not a dozen settlers in the county. Three years later there were 818, and the Great Northern road was soon afterwards extended to Bottineau, the terminus of the Rugby and Bottineau branch. Then but 120 acres of land had been entered and the total wheat product of the county was but 8,016 bushels, but two years later the wheat crop was 149,079 bushels. The acres improved in 1885 were 7,215. The county early devoted attention to stock and in 1885 had sheep producing 2,554 pounds of wool. It then had nearly two thousand head of cattle.

Bottineau County was organized March 13, 1884, by the appointment by the governor of William F. Simerall, Albert C. Barnes and Lorenzo D. Dana county commissioners. The first meeting of the board was July 17th, when Mr. Dana was elected chairman. John W. G. Simerall was appointed register of deeds; Louis P. LeMay, sheriff; Alex McBain, assessor; Archibald Finlayson, treasurer; J. B. Sinclair, surveyor; Rev. Ezra Turner, superintendent of schools; William Stewart and George Gagnon, justices of the peace; Peter Ferguson, Francis X.

Junea, constables. Later J. N. Greiner was appointed justice of the peace and J. B. Sinclair, road supervisor, and Alex. C. Barnes, clerk of court.

Robert Brander entered the land on which Bottineau is situated, the homestead of Alex. Sinclair also forming a part of the city.

ROLETTE COUNTY

Rolette County was created by act of the Legislature, January 4, 1873, when North Dakota was first divided into counties. Until then the eastern portion was known as Pembina County, while that portion east of the Missouri and west of the James was a part of what is now Buffalo County, South Dakota, which then embraced most of the northern part of what is now North Dakota. In 1883 Tower County was created from Rolette, and its boundaries were further changed and established as now, March 11, 1887. Rolette County was organized November 6, 1885, by the appointment by the governor of the following county commissioners, viz.: James Maloney, Jasper Jeanotte and Arthur Foussard. Jeanotte and Foussard failed to qualify, and Fred Schutte and Lemuel M. Melton of Dunseith were appointed in their stead.

They organized at Dunseith, October 14, 1884, and Fred Schutte was chosen chairman. Courtland P. Clements was appointed register of deeds; James Elton, judge of probate; F. E. Farrell, county superintendent of schools; James D. Eaton, county treasurer; Barney Cain, sheriff; Dr. Stephen Howard, coroner; Gavin Hamilton, county attorney. W. H. McKee succeeded Elton as judge of probate. Thomas Heskett, L. E. Marchaud, Samuel Shreckengast and Phillip T. Metler were appointed justices of the peace, and Thomas Maloney, Lake Demo, John McFadden, Moses LaBonty and John Cain, constables.

Giles M. Gilbert, Lemuel G. Melton and C. G. Oaks were the first settlers in that part of the mountains.

The LaBarge Brothers, Edward and Edmund and Arthur, and Emile Foussard came in 1881, settling at St. John. They came from Brandon, Manitoba, and claim to have led all other settlers, aside from a few half-breeds who came as early as 1880.

The first entries of public lands were made when the plats were filed at the Devil's Lake land office by Giles M. Gilbert, Lemuel G. Welton and E. G. O[illegible]. The law requires 30 days' notice to be given to entrymen of the filing of plats and proper notice to be given of intention to make proof, but without this notice, on the day the plats were open to inspection, Colonel Courtland P. Clements, a Colorado friend of Henry M. Teller, U. S. Secretary of the Interior, presented himself at the United States land office at Devil's Lake with a letter from Secretary Teller to the register and receiver directing that they allow proof to be made at once on the Gilbert, Melton and Oaks tracts and the entries were accordingly completed on the day their filings were made, and the Oaks and Melton entries were transferred to M. Ohmer, in the interest of the Dunseith townsite syndicate, of which Clements, Schutte, Laubach and Ohmer were members.

St. John, Rolette County, is one of the oldest trading points in the state, its business life dating way back to 1843. Joseph Rolette, William H. Moorhead, and others familiar to the history of the later developments of the state, were engaged in trade to a greater or less extent at St. John, and one of the early customs stations was established there. It is now a port of entry with deputy collector, and the United States flag flies over the cutsoms office every day of the year from sunrise to sunset. Canadians who came into the country at this point are required to report and show their respect to the country by saluting the old flag and transacting whatever business they may have with the accommodating customs officials.

WELLS COUNTY

Wells County was originally created in 1873 as Gingras County. The name was changed in 1881 to Wells and its boundaries changed in 1883 and 1885. It was organized in 1884, with 36 townships, the governor appointing Thomas R. Williams, Joseph P. Cox and Marshall Brinton as county commissioners.

The county seat was originally at Sykeston, established by the Sykes interest in connection with their large estates. The construction of the Soo through the center of the county resulted in building up Cathay, Fessenden and Harvey, and in a county seat contest terminating in favor of Fessenden, where it was moved in 1894. The town was named in honor of ex-Surveyor General Fessenden, formerly of Michigan, under whose administration the original surveys in the county were made. The county is largely settled by Germans. They own farms varying from 160 to 640 acres.

THEODORE ROOSEVELT, NORTH DAKOTA PIONEER

In 1881 Hiram B. Wadsworth and W. L. Hawley of Minnesota shipped in 200 head of young cattle for ranging on the plains west of the Little Missouri River and established the Maltese Cross ranch. Other ranching interests followed the establishment of the Maltese Cross ranch, but that was the first of importance in North Dakota. In 1880 Joseph and Sylvane Ferris and A. W. Merrifield came to the Little Missouri region and engaged in hunting.

In September, 1883, Theodore Roosevelt came to Medora, North Dakota, for the purpose of hunting. Joseph Ferris accompanied him on his hunting expedition, and on September 17, 1883, on the plains of North Dakota, Mr. Roosevelt killed his first buffalo. On the trip Mr. Roosevelt became interested in the subject of stock growing and on his return purchased the Maltese Cross herd of cattle and placed them in the hands of Sylvane M. Ferris and A. W. Merrifield on the Chimney Butte ranch, seven miles south of Medora. He added several hundred head to the bunch that fall and the next year established the Elkhorn ranch, thirty-five miles down the river from Medora. This ranch was in charge of Sewall and Dow. On the two ranches he had some three thousand head of cattle and twice a year visited these ranches and participated in the round-up, one season remaining until Christmas. There was no part of the work on that ranch in which he did not participate. He was fearless, but none of those who rode the range with him or accompanied him on his hunting trips recall a single instance wherein he could be said to have been reckless. One day one of his employes undertook to frighten him by threats of gun play. Mr. Roosevelt took the gun from him and kicked him out of camp. The fellow was known as a desperado who was expected to shoot on the slightest provocation. He apologized and was restored to his place, but his spirit as a desperado was broken. Theodore Roosevelt was not "Teddy" on the range, but "Mr." Roosevelt always, the men showing their respect for him in his absence as well as in his presence. In 1906 his son Kermit rode on horseback from Deadwood to Medora, accompanied by Hon. Seth Bullock, and spent a few days with the ranch friends of Mr. Roosevelt. During his stay at Medora, Mr. Roosevelt was one summer deputy sheriff, and was as fearless and faithful in the performance of his duty as he required his appointees to be. Mrs. Roosevelt visited the ranch in the summer of 1890. He retained his interests in North Dakota cattle growing until 1896, when he closed out with profit.

After his election as President Mr. Roosevelt wrote as follows:

White House, Washington, November 10, 1904.

My Dear Joe and Sylvane:

No telegram that I received pleased me more than yours, and I thank you for it. Give my warm regards to Mrs. Joe, Mrs. Sylvane and all my friends.

Sincerely yours,

Theodore Roosevelt,
The Medora President.

The logs that were in the Chimney Butte ranch headquarters were taken to St. Louis and to Portland and reerected as they appeared on the range, and were a leading attraction at the Louisiana Purchse and Lewis and Clark expositions, and were then returned to Bismarck, where the Roosevelt cabin became a permanent exhibit in the custody of the State Historical Society.

Marquis de Mores came to North Dakota in April, 1883, a short time before Mr. Roosevelt, and invested large sums of money in stock growing and in the packing industry, his intention being to grow the stock and kill them on the range, shipping in refrigerator cars to the eastern markets. He built a fully equipped slaughter house at Medora, with all the appurtenances necessary for the economical handling of all of the by-products. He built cold storage houses at Bismarck, Fargo, Duluth and other points and carried on an enormous business until 1886, when he realized that he was in advance of the times and withdrew, returning to France.

In 1883 Sir John Pindar and Commodore Henry Gorringer became associated in a cattle enterprise near the Roosevelt and De Mores ranches, and invested largely in stock growing. Mr. Hostetter also had large investments in this vicinity. Hon. A. C. Huidekoper of Pennsylvania and associates became interested in this region and afterwards made heavy investments in land and stock, closing out in 1906 for the sum of $250,000 to Fred Pabst of the Pabst Brewing Company. Pierre Wibaux invested some $200,000 in stock in this region, beginning also in the early days. The Eaton brothers of the Custer Trail ranch were also among the early factors in the development of that region. The very first, however, to establish a stock business west of the Missouri was E. G. Paddock, who was engaged in freighting to the cantonment at the Little Missouri in 1879. He brought in a herd of cows to supply the cantonment with milk.

The terminus of the Northern Pacific Railroad remained at Bismarck until 1880, when the work of construction commenced west of the Missouri River. The winter preceding a track was laid across the Missouri River on the ice, and much of the heavy material was pushed across the river that winter on the ice bridge. During the construction of the permanent railroad bridge, built in 1881-2, costing upwards of $1,500,000, cars were transferred by boat. The road crossed the western boundary of the state and was extended to the Yellowstone in 1881.

THE BURLEIGH COUNTY PIONEERS

On the evening of December 1, 1873, in the log building of Dimmick and Tippie, on the corner of Main and Third streets, there was formed an association of the early settlers of Bismarck and vicinity called the Burleigh County Pioneers, whose object, as stated in their constitution, was "to promote the social, business and agricultural interests of Bismarck and vicinity." The charter members were C. A. Lounsberry, C. H. McCarty, Edward Donahue, Dr. B. F. Slaughter, C. W. Freede, H. N. Holway, L. T. Marshall, C. W. Clarke, J. E. Walker, M. Tippie, W. T. McKay, A. C. Tippie, Gus Galbraith, J. W. Raymond and Capt. John W. Smith.

The officers elected were: Dr. B. F. Slaughter, president; Charles H. McCarty, vice president; Gus Galbraith, recording secretary; Col. C. A. Lounsberry, corresponding secretary; Maj. J. E. Walker, treasurer.

This society was at once a bureau of immigration, a general intelligence office and a board of trade.

For two years the Pioneers kept two secretaries at work sending out literature and answering inquiries from abroad, and Bismarck was the most extensively advertised burgh in America. In April, 1874, they fitted up headquarters and a public reading room in Dr. Slaughter's building on Third street, known as Pioneer Hall, which was one of the most attractive places in the city. They accumulated a valuable library and elected W. S. Brown, librarian, and W. J. Craw, assistant secretary.

At a meeting held on February 9, 1874, the association resolved to publish a pamphlet to advertise the country and to elect a historian, whose duty it should be to prepare it. A committee, consisting of M. Tippie, J. B. Bailey and N. H. Knappen, was appointed to make the selection, and they chose Mrs. Linda W. Slaughter as historian of Pioneers, and she was elected an honorary member of the association. Her pamphlet, entitled "The New Northwest—A History of Bismarck and Vicinity," was in the hands of the secretary within two weeks from the date of the resolution. Two thousand copies were printed in the office of the Bismarck Tribune, 1,000 of which were mailed by the secretary to all parts of the country and the other 1,000 was distributed among the members for gratuitous distribution. The good results of this enterprise were soon apparent. Immigrants poured in from all quarters and the author of the pamphlet lived to see her predictions in regard to the coming greatness of the country fully verified.

Washington's birthday, February 22, 1874, was observed by the Pioneers by a grand ball at the Capitol Hotel. Tickets sold readily at $5 each, and thereafter each year for a number of years at each anniversary of the formation of the society an annual ball was held and large sums were realized for the society from the sale of tickets.

Below are the names of the members of the Burleigh County Pioneers recorded in their own handwriting in the secretary's book of their constitution and by-laws, now in the possession of the State Historical Society:

C. A. Lounsberry, C. H. McCarty, Edward Donahue, B. Frank Slaughter, C. W. Freede, H. N. Holway, L. T. Marshall, C. W. Clarke, J. E. Walker, M. Tippie, W. T. McKay, A. C. Tippie, Gus Galbraith, J. W. Raymond, John W. Smith, John Harris, John W. Proctor, Fred C. Hollenbeck, H. N. Ross, Charles A. Galloway, David Crouther, C. J. Miller, Richard Farrell, Chris Hiehli, Fred W. Edgar, Louis Agard, Nicholas Byrnes, T. F. Singhiser, M. L. Marsh, N. H. Knappen, S. L. Beckel, Henry Suttle, E. N. Corey, John A. McLean, Robert Macnider, J. D. Wakeman, R. D. Jennings, Thomas Van Etten, Mark Warren, Edmond Hackett, James A. Emmons, S. E. Doner, Will J. Craw, Henry Dion, John P. Forster, J. B. Bailey, R. R. Marsh, William Woods, Alexander McKenzie, John A. Stoyell, H. Brownson, Alonzo Murry, Mason Martin, L. H. Melton, Richard Connelly, John Bowen, Henry Waller, George G. Gibbs, James H. Marshall, Joseph Pennell, John Wringrose, James Browning, J. O. Simmons, W. Ward Bill, John Whalen, S. Lambert, Theodore Shenkenberg, Peter Brasseau, Jesse Ayers, William Coleman, William Hollowbush, J. McGee, Josiah Delameter, J. P. Dunn, Thomas McGowan, Nicholas Comer, Norman Beck, Isadore Burlingette, Thomas Reid, Louis Bonin, George Peoples, Asa Fisher, J. H. Lovelle, John W. Plummer, Willard S. Brown, J. H. Richards, J. C. Dodge, H. P. Bogue, P. H. Galligher, Nicholas Comerford, W. S. Lawrence, Charles F. Hobart, J. C. Cady, S. M. Townsend, George Enreigh, N. Dunkleberg, John Mason, John Yegen, Joseph Deitrich, L. N. Griffin, Cornelius Collins, T. P. Davis, W. H. H. Comer, Charles Saunders, R. Page and Edward B. Ware.

THE BISMARCK LADIES' HISTORICAL SOCIETY

The Ladies' Historical Society of Bismarck and North Dakota was formally organized in September, 1889. Previously to this it had existed as a little knot of ladies in Bismarck, who, having experienced the hardships and isolation that marked the early days of settlement in the new city, were drawn together in bonds of the closest friendship. Their first meetings were chiefly social and were held at the home of Mrs. Slaughter. One peculiarity of their constitution was that no dues should be paid, and its membership was at first limited to the ladies who had lived in Bismarck during the years 1872 and 1873. It afterwards broadened out to admit the wives of the old settlers of those years. At the reorganization, in 1889, all ladies who had lived in the territory previous to its admission as a state were made eligible to membership, and at its last reorganization and incorporation as the North Dakota State Historical Society gentlemen were allowed admittance on equal terms.

The first officers of the ladies' society of the year 1872, who retained their positions until the incorporation in 1889, were: President, Linda W. Slaughter; board of directors, Lucy Baily, Phoebe A. Marsh, Charlotte H. Davis, Nina B. Emmons, Linda W. Slaughter, Mrs. Alice O'Brien. The oldest of the old settler ladies was honorary president, and Miss Rosalind C. Slaughter, the youngest, was secretary. Mrs. John P. Dunn and Mrs. Winnifred Nichols, settlers of 1873, were later members.

Mrs. Alice O'Brien was born in Ireland and came to Bismarck in July, 1872, with her husband, Matheus O'Brien. Their family consisted of Mrs. Sebry, the aged mother of Mrs. O'Brien, and a large group of sons and daughters. Several of the latter were married to farmers, who were the first to open farms near the new city.

Mrs. Linda W. Slaughter was the wife of Dr. B. Frank Slaughter, post surgeon of Camp Hancock, and came to Bismarck from Fort Rice in August, 1872, with her husband and baby. Dr. Slaughter resigned from the army in November, 1873, to become a citizen of Bismarck, and both husband and wife were identified with the leading events of the early years in the new city. Dr. Slaughter died December 26, 1896, of paralysis.

Mrs. Thomas Van Etten came to Bismarck from Minnesota with her husband and family in 1873 and resided on a farm near Bismarck until 1882, when, having realized a large sum from the sale of their land, they returned to their old home in Minnesota. Mrs. Van Etten afterwards died of consumption.

Mrs. Nina B. Emmons was the wife of James A. Emmons, one of the first board of commissioners of Burleigh County, and a leading business man of Bismarck. She came to Bismarck in September, 1872, and was the first bride in Bismarck. They removed to Nebraska in 1885.

Mrs. Charlotte H. Davis was the wife of Thomas P. Davis, one of the early contractors on the Northern Pacific grade. They came to Bismarck in 1872. Mr. Davis was killed by accident in Bismarck in 1894 and Mrs. Davis returned to her old home in Canada.

Mrs. Lucy Baily came to Bismarck with her husband, James Buell Baily, in August, 1872. They were for some years engaged in the business of hotel keeping. Mr. Baily died in 1879 and Mrs. Baily in January, 1895.

Miss Rosalind C. Slaughter, who was for so long the faithful secretary of the society, is the daughter of Dr. B. F. and Linda W. Slaughter and was a babe in arms when she came to Camp Hancock with her parents in 1872. She attended school in Bismarck and Washington, D. C. On October 21, 1896, she was married to Mr. A. W. Dearborn of Eagle Lake, Minn., where she now resides with her husband.

Mrs. Christina Dunn came to Bismarck in 1873 and is the wife of John P. Dunn, one of the first board of commissioners of Burleigh County, and long engaged as a druggist in Bismarck, where she still resides. Mrs. Dunn is now engaged in millinery at Bismarck.

Mrs. Winnifred Nichols came to Bismarck in 1873 with her husband, John Nichols, and their family of children. They long resided on a farm near the city. Mr. Nichols died in 1896. Mrs. Nichols and several of their daughters now reside in Bismarck.

Mrs. Phoebe A. Marsh came to Bismarck with her husband, R. R. Marsh, from Pennsylvania in 1872 and opened the Capitol Hotel on the present site of the Central Block on Main street. They now reside on a farm near Menoken.

The object of the ladies' society, as stated in their constitution, was to promote friendship and good will among the old settlers of Bismarck and Burleigh County and to preserve the records of the early history of the county and state in correct and permanent form.

This society having organized under the name of North Dakota State Historical Society, an arrangement was made with them whereby they merged their organization into the present State Historical Society, the members of this society becoming honorary members of the new organization.

RANSOM COUNTY

Early in 1869 a colonization company with Capt. Lafayette Hadley as president came to Owego Township and settled on what, after being surveyed, proved to be section 16. They named the company "The Owego Colonization Company," platted a townsite and named it Owego after their former home on the Susquehanna. Several families came and numerous buildings were erected, and the colony prospered for a year or so. During the following summer the male members of the colony, who were old enough, all went to work on the Northern Pacific Railroad, and an "Indian scare" drove all the families away. The townsite scheme was abandoned and the buildings burned by the Indians. Samuel Horton was a member of this colony and lived there with his family.

William Hutchins, the oldest resident of the county, freighted through the county in 1868. At that time there were two residents, John Knudson, a Norwegian, living on the Sheyenne River on section 2 in Owego Township, and Dave Faribault, a half-breed Sioux and nephew of the old Chief Faribault, was living on the Sheyenne near the present residence of H. S. Gates. Faribault kept a Government station, but his place being out of the direct line of travel, he was removed to a point near Owego, called in that day "Pigeon Point," where he kept a station for several years.

The first land was entered in 1870 by Peter Bonner at a point now known as Bonnersville on the Sheyenne River.

A little later Herman and Helmuth Schultz and F. Baguhn settled in Owego Township, near the old colony townsite. Joseph L. Colton was the first settler on the townsite of Lisbon, where he built a mill in 1878, and laid out the town in September, 1880.

Fort Ransom was established in 1866 for the purpose of keeping the hostile Sioux in check, and guarding the trains of emigrants going westward. It was named for Gen. T. E. G. Ransom of the U. S. Army, and the county was named for this fort. The old earthwork, in the form of a quadrangle about two hundred and fifty by three hundred feet in dimensions, and six feet high, portions of the powder magazine and cellars and fragments of buildings, the old lime kiln and slaughter houses, are yet to be seen. On the brow of the hill north of the fort are the remains of six graves walled up with stone and mortar, where soldiers were buried and the bodies afterward removed.

The fort was abandoned in 1872 and moved to Fort Seward, near Jamestown. The buildings left by the Government were stolen by the early settlers.

The old "Oregon Trail" crosses the county diagonally about six miles south of Lisbon. On the SE ¼, section 2, township 133, range 56, is a large camping place with earthworks thrown up in a circle over forty rods across where the Oregon emigrants protected themselves against an attack from the Indians.

The remains of several Indian gardens and villages are yet visible along the Sheyenne Valley. At the old crossing near J. E. Brunton's is the outline of a large village and near it are earthworks built by white men to guard the ford and as a camp for benighted travelers.

Sibley's expedition crossed the Sheyenne and established Camp Hayes and celebrated the 4th of July, 1863. Ex-Governor Horace Austin of Minnesota, then captain of Company B, First Regiment, Mounted Rangers, addressed the troops, being the first 4th of July oration delivered in Ransom County. A tall liberty pole of white ash was erected. The expedition passed about a mile and a half north of Lisbon and established "Camp Wharton" on sections 19 and 20, township 135, range 56, where it halted until Sunday morning, July 12th, waiting for a supply train to arrive from Alexandria, Minn., when it passed on and crossed the Sheyenne River at Stony Ford near Sorenson's Mills in Barnes County.

Ransom County was created by act of the Territorial Legislature, January 4, 1873, from Pembina, and by act of the Legislature, February 7, 1877, the County of Ransom was attached to the County of Richland for the purpose of recording deeds, mortgages and other instruments.

On March 7, 1881, Governor Ordway appointed as commissioners Frank Probert, Gilbert Hanson and George H. Colton. Their first meeting was held April 4, 1881, and Frank Probert was chosen chairman. At the meeting next day the "county seat was located at Lisbon." The following officers were appointed: J. L. Colton, register of deeds and county clerk; George H. Manning, sheriff; A. H. Moore, deputy sheriff; John Kinan, treasurer; J. P. Knight, judge of probate; M. A. Smith, assessor; Peter H. Benson, Thomas Olson, Amos Hitchcock and Thomas Harris, Sr., justices of the peace; John Ording, Solomon Robinson, Orlando Foster and Edward Ash, constables; Eben W. Knight, superintendent of schools; E. C. Pindall, county surveyor; W. W. Bradley, coroner. Joseph J. Rogers was employed as counsel for the board of commissioners.

January 1, 1883, the following officers qualified: D. F. Ellsworth, Randolph Holding and M. L. Engle, commissioners; A. H. Laughlin, register of deeds; A. C. Kvella, treasurer, and A. H. Moore, sheriff. M. L. Engle was elected chairman of the board.

Among the old settlers who came previous to 1884 were: W. H. Smith, J. S. Cole, S. Robinson, Judge E. J. Ryman, J. Peterman, F. P. Allen, H. A. Haugan, A. Sandager, Thomas A. Curtis, H. K. Adams, R. S. Adams, A. Johnson, M. B. Rose, A. H. Laughlin, M. E. Moore, Stewart Heron, H. H. Grover, H. S. Grover, Thomas J. Harris, E. S. Lovelace, T. J. Walker, Thomas E. Harris, S. W. Bale, John E. Fleming, W. W. Moore, Robert Perigo, G. E. Knapp, D. H. Buttz, Fred K. Moore, I. J. Oliver, John H. Oerding, P. W. Skiffington, F. W. Baguhn, J. S. Sullivan, F. M. Probert, Joseph Goodman, P. P. Goodman, M. L. Engle, H. S. Oliver, T. M. Elliott, William Trumble, J. E. Wisner, Maj. C. W. Buttz and J. E. Brunton.

TOWNER COUNTY

Towner County, named for Col. O. M. Towner, a prominent figure in the early days of North Dakota, founder of the Elk Valley farm, and other important enterprises, was created March 8, 1883, from parts of Cavilier and Rolette counties.

The county was first settled in 1881 and was organized in 1883 by the appointment, November 6 of that year, of P. T. Parker, H. C. Davis and J. W. Connella as county commissioners, but J. S. Conyer was substituted for the latter on the day of organization.

In 1886 Cando was established and forty acres scripped and laid out as a townsite by J. A. Percival of Devils Lake, who also purchased the three adjoining forties entered by H. C. Davis.

June 2, 1884, the county was divided into school districts and the following were appointed as judges of school election: District No. 1, J. L. Miller, J. H. McCune and Frederick Lemke—election at A. S. Gibbens'; district No. 2, Frank Blair, C. C. Edwards and J. W. Hardee—election at the county building.

The county was divided into commissioner districts in October, and voting precincts and judges were ordered as follows: At the store of W. H. Lane, T. W. Conyers, A. S. Gibbens and T. F. Hesse, judges; at the county building, John Smith, C. C. Marks and Mike Rocke, judges; at Richard D. Cowan's, James Dunphy, George Edmonson and J. Pinkerton, judges.

The county officers elected that fall were H. C. Davis, J. S. Conyers and R. D. Cowan, commissioners; W. E. Pew, register of deeds; W. H. Lane, superintendent of schools; J. W. Hardee, judge of probate; Edward Gorman, sheriff; T. W. Conyers, coroner; James Dunphy and John Nelson, justices of the peace; John Rocke, treasurer; R. J. Cowan, assessor; R. D. Cowan, constable. A. M. Powell continued to act as clerk of the court.

A prominent factor in the early settlement of Towner County in 1883 was the Missouri Colony. They came largely from Pike County, which has furnished many immigrants for all portions of the North and West, and is famous from once having been the home of Joseph Bowers and his red-headed rival, who married Joe's sweetheart when he was off in California trying to raise a stake.

This colony consisted of about forty men, and they had seventy carloads of stock and immigrant movables. Among them was Capt. P. P. Parker, Frank L. Wilson, Col. John Ely, J. H. McCune, James H. McPike, A. H. Riggs, George W. Clifton, A. H. Steele, William Steele, Wilson Williams, Guy M. Germond, C. B. Riggs, T. W. Conyers, Ed Preist, James M. Hanson, Joseph Grotte, John Crow and Amos Glasscock.

CHAPTER XXXIV

HISTORY OF BANKING IN NORTH DAKOTA

The Dakotas claim the distinction of the oldest State Bankers Association in the United States, the Dakota Bankers Association having been organized in 1885, with D. W. Diggs as president; R. C. Anderson, first vice president; M. P. Beebee as treasurer, and Eugene Steere as secretary.

The first convention was held at Aberdeen, in May, 1885. At that meeting eighteen members, coming from different parts of what was then the Territory of Dakota, were enrolled as the original membership of the Dakota Association.

May 24th and 25th, 1887, the annual convention of the Dakota Bankers Association was held at Watertown, and the membership at that time numbered eighty-two. The officers of the association in 1887 were: President, Charles E. Judd, cashier of the Dakota Loan & Trust Company of Canton; R. C. Anderson, as vice president, cashier of the Bank of St. Lawrence, with twenty-four vice presidents coming from various parts of the territory. M. P. Beebee, president of the Bank of Ipswich, was still treasurer of the association and Eugene Steere, cashier of the Citizens Bank of Pierre, secretary.

One of the interesting features at the convention of 1887 was a historical paper covering banking in Dakota, by Frank Drew, at that time cashier of the Bank of Highmore, from which the following sketch has been taken.

"The first banking institution, in the then Territory of Dakota, was located in the City of Yankton, which at that time was a rival of her now more popular neighbor, Sioux City, which city in 1872 numbered a population of but 3,000. Mark M. Palmer, a young man of twenty-three years of age, at that time, was the first person to open a bank in Dakota. In the fall of 1869 this bank was opened on Second Street in Yankton, as a private bank, the partners being S. Drew, who later on was cashier of the James River Bank of Frankfort, Dak., and Frank Drew, later cashier of the Bank of Highmore. Mr. Palmer failed and retired from the banking business in January, 1878. At that time no railroad had entered the domain of the great commonwealth of the Territory of Dakota, and business transactions were necessarily slow to accommodate the old-time Concord coach, which daily drove up to the postoffice, and deposited the mail, and delivered to the bank such currency, specie, etc., as it received from the outside world."

In 1873 the locomotive appeared in Dakota Territory and the Concord coach was relegated to the frontier. Yankton drew trade from an enormous territory and the accounts of this pioneer bank were the accounts of business men, individuals, Indian agents, post-traders, and others, furnishing the bank with a large and widely distributed business. Borrowers were then accustomed to giving personal security only. The chattel mortgage, the popular form of security in the Northwest, being a creation of later days. A most profitable source of revenue for the bank was that of advancing officers' pay accounts. For the ready cash, a liberal discount was not objected to by officers of the Government then in the frontier service.

The second bank organized in the frontier territory was the Clay County Bank (not incorporated), organized September 21, 1871, at Vermilion, with V. C. Prentice as president, and Henry Newton as cashier. After a successful career of seven years this bank went out of existence September 4, 1878, announcing to its depositors their ability to pay all claims on demand. Mr. Prentice later on resided at Pierre, S. Dak., and Mr. Newton at Vermilion.

The third bank on the list was started at Elk Point, under the name of the Bank of Union County, in the spring of 1872, by W. Hoffman, who was also interested in the milling business at that point. He failed in business in 1875, and died in the Black Hills in 1877.

The fourth bank was started in Yankton in the fall of 1872, by P. P. Wintermute, the slayer of the brilliant Gen. Edwin S. McCook, then secretary of the territory. This unfortunate affair occurred on the night of September 11, 1873, in the hall of the St. Charles Hotel at Yankton, at a meeting called by the citizens to consider the proposition of the incoming of the Dakota Railroad. Mr. Wintermute's career as a banker then ended. He was tried, convicted and sentenced to ten years, but afterward obtained a new trial and was acquitted at Vermilion, Dak. His liberty was of short duration, however, as his death occurred in Florida in 1877, where he had gone to recuperate a shattered constitution. The bank he founded was purchased by Edmunds and Wynn, under the title of the Yankton Bank, which was succeeded by the Edmunds-Hudson Co., they being succeeded by Edmunds & Sons. Newton Edmunds, senior member of the firm, was honored by many public trusts, among others being governor of the Territory of Dakota. All of the banks mentioned so far were private institutions.

In the winter of 1872, the First National Bank of Yankton was organized with a capital of $50,000, the first of its kind in the territory and was officered by the Hon. Moses K. Armstrong, president, then a delegate to Congress, and Mark Palmer, cashier. Mr. Palmer still continuing his private banking business. In 1873 S. B. Coulson purchased the interest held by Mr. Palmer and the management fell into the hands of J. C. McVey, president, and C. E. Sanborn, cashier, Mr. Armstrong having retired.

The First National Bank of Yankton is an example of what good management will produce. It still stands among the leading financial institutions of the two Dakotas, with an uninterrupted history of prosperity covering a period of forty-four years.

The sixth bank came into existence in Sioux Falls in the summer of 1873, Jno. D. Cameron being proprietor of the bank. He failed in 1875, and was succeeded by J. D. Young & Co., who were in turn succeeded by the First National Bank of Sioux Falls, which failed in 1886.

The seventh bank was started in 1875, at Bismarck, Dak., Hon. James W. Raymond, later territorial treasurer, and afterward president of the Northwestern National Bank of Minneapolis, being the prime mover in this work.

The Bismarck National Bank with James W. Raymond as president and William Bell cashier, was the outcome of this bank.

It was just at this time that Dakota Territory entered upon an era of railroad building, bringing into existence many new towns, and among other things, numerous banking institutions. By this time modes of doing business had somewhat changed. Loans were made on chattel mortgages, the forms of which have varied with each succeeding session of the Legislature. Dakota investments so long held in doubt were becoming prominent and sought after. The business of first mortgage farm loans had grown to a proportion far exceeding expectations, and was handled by institutions in and out of the territory. The earliest organizers of this branch of business was the firm of Foster & Hayward, who conducted a farm and loan business in Yankton from 1872 to 1876. A number of banks had sprung into existence in that part of the territory, which is now the State of North Dakota, all of which have gone out of existence with the exception of the First National Bank of Fargo, which was organized in February, 1878.

The first published statement of this bank was printed March 15, 1878, showing a paid-up capital of $61,000, deposits of $12,000, and loans and discounts, $27,000. E. B. Eddy was president, and E. C. Eddy, who still resides in Fargo, N. Dak., was cashier. The First National Bank of Fargo claims the distinction of being the oldest and largest bank in the State of North Dakota. Its present capital is $300,000, surplus and undivided profits, $250,000, and deposits, $5,500,000. Its active officers at the present time being E. J. Weiser, president; F. A. Irish, vice president, and G. H. Nesbit, cashier.

In the years of 1880-81-82 banks in the Territory of Dakota flourished like mushrooms and the first thing to catch the eye on entering a new town was a bank building and then a saloon. During these years the railroads were extending their lines in every direction, weaving into a giant cobweb the commercial interests of Dakota. Huron came into notice in 1880, and December 23d of that year the first bank was started in Huron by C. C. Hills, since deceased.

E. Steere landed in Huron January 3, 1881, with an embryo bank in his pocket, thinking he was the first man on deck, but after a night's sleep and a little investigation in the morning he discovered his mistake and upon calling at the bank already started he found an old-time friend. After a careful sizing up of the situation the conclusion was reached that Huron would not need two banks for some time to come. Mr. Steere went on to Pierre, and started the Citizens Bank, which for many years was the oldest bank in that portion of Dakota. Later on in the fall of the year 1881, Frank Stevens started the Beadle County Bank, the second incorporated institution of its kind in the territory.

The Citizens Bank of Grand Forks was organized in 1878 with J. W. Smith as president and S. S. Titus as cashier. This bank developed into the First National Bank of Grand Forks with J. W. Smith as president and S. S. Titus as cashier. The First National Bank of Grand Forks is still a flourishing institution. It's officers are: S. S. Titus, chairman of the board of directors, A. I. Hunter, president, and J. R. Carley, cashier.

In 1889 the Territory of Dakota was divided into the states of North and South Dakota, the principal cities of North Dakota at that time being Fargo, Grand Forks, Bismarck, Jamestown, Valley City, Grafton, Devils Lake and Minot, and other smaller towns there had flourishing banks, and the business of banking grew to enormous proportions. At that time the Dakota Bankers Association went out of existence and the North Dakota Bankers Association and the South Dakota Bankers Association were organized.

The first officers of the North Dakota Association were Charles A. Morton, of Fargo, president; E. P. Wells, of Jamestown, first vice president; R. S. Adams, of Lisbon, treasurer; and George B. Clifford, of Grand Forks, secretary. The North Dakota Association flourished for several years, but was finally abandoned and an effort was made to reorganize the association in 1894, but after holding two meetings the organization was again abandoned, and not until 1903 was another effort made to organize a state association when through the efforts of F. W. Cathro, cashier of the First National Bank of Bottineau, a meeting of the bankers of the state was held at Grand Forks on Thursday and Friday, August 27th and 28th, for the purpose of reorganizing the North Dakota Association.

Every banker in the state was cordially invited to participate in the organization, the call being signed by twenty-one bankers located in as many different cities in the state. A meeting was organized by the election of F. W. Cathro of Bottineau, as temporary chairman; W. C. Macfadden of Fargo, as temporary secretary; and M. J. Liverman of Grand Forks, as temporary assistant secretary and stenographer. At the conclusion of the organization meeting officers for the ensuing year were elected as follows: S. S. Lyon of Fargo, president; M. F. Murphy of Grand Forks, vice president; J. H. Terrett of Michigan City, treasurer; and W. C. Macfadden of Fargo, secretary.

In 1906 the North Dakota Bankers Association was incorporated under the laws of the State of North Dakota and in 1914 permanent offices were provided, and W. C. Macfadden elected as state secretary of the association, he devoting his entire time to the business of the association since that date. From the years 1903 to 1916 the following gentlemen have served as presidents of the association: F. W. Cathro, Bottineau, N. Dak.; S. S. Lyon, Fargo, N. Dak.; M. F. Murphy, Grand Forks, N. Dark.; L. B. Hanna, Fargo, N. Dak.; J. L. Cashel, Grafton, N. Dak.; C. E. Batcheller, Fingal, N. Dak.; C. J. Lord, Cando, N. Dak; W. C. McDowell, Marion, N. Dak.; Karl J. Farup, Park River, N. Dak.; R. S. Adams, Lisbon, N. Dak.; Lewis F. Crawford, Sentinel Butte, N. Dak.; J. J. Nierling, Jamestown, N. Dak.; W. D. McClintock, Rugby, N. Dak.; J. E. Phelan, Bowman, N. Dak. The present officers being J. E. Phelan of Bowman, president; C. R. Green of Cavalier, vice president; W. D. McClintock of Rugby, chairman of the executive council; W. F. Hanks of Powers Lake, treasurer; and W. C. Macfadden of Fargo, secretary.

At the annual convention held in Fargo, July 14 and 15, 1904, a total of 291 banks in North Dakota was shown, 79 national banks with an aggregate capital of $2,725,000, and 212 state banks with an aggregate capital of $2,357,000, or a total banking capital of $5,082,000. In 1912 the financial institutions in the state were as follows: state banks, 596; trust companies, 3; national banks, 146; total, 745. In June, 1916, the total number of banks and trust companies in the state had increased to 151 national banks, 4 trust companies, 658 state banks, making a total of 823 institutions. Nine million seven hundred thirteen thousand dollars total capital for the state banks and $5,625,000 as the aggregate capital of the national banks, and $500,000 capital for the trust companies, with total deposits for the state banks of approximately $80,000,000 and total deposits of the national banks approximately $35,000,000.

Annual conventions of the state association are held, at which topics of general interest to the state are discussed and to the North Dakota Bankers Association can a very large amount of credit be rightfully given for the development of the commonwealth.

BANKS OF DAKOTA TERRITORY AS SHOWN BY THE REPORT OF THE COMPTROLLER OF CURRENCY FOR THE YEAR 1889, TOGETHER WITH CAPITAL AND RESOURCES

Name	Capital	Aggregate Resources
First National Bank, Aberdeen	$ 50,000	$176,659.89
Aberdeen National Bank, Aberdeen	75,000	208,504.65
Northwestern National Bank, Aberdeen	100,000	273,825.43
First National Bank, Bismarck	100,000	239,355.97
Capital National Bank, Bismarck	50,000	156,026.98
First National Bank, Brookings	50,000	159,633.57
First National Bank, Canton	50,000	126,634.48
First National Bank, Casselton	60,000	255,653.03
First National Bank, Chamberlain	50,000	146,463.27
First National Bank, Clark	60,000	144,949.70
First National Bank, Deadwood	100,000	1,052,152.78
Deadwood National Bank, Deadwood	100,000	224,440.10
Merchants National Bank, Deadwood	100,000	244,250.19
First National Bank, Dell Rapids	75,000	178,368.77
First National Bank, DeSmet	50,000	98,000.00
First National Bank, Devils Lake	50,000	182,081.76
Merchants National Bank, Devils Lake	50,000	116,604.92
First National Bank, Doland	50,000	96,537.82
First National Bank, Fargo	150,000	850,415.81
Citizens National Bank, Fargo	100,000	372,424.74
Red River Valley National Bank, Fargo	100,000	427,252.28
First National Bank, Grafton	50,000	210,134.29
Grafton National Bank, Grafton	50,000	169,188.63
Second National Bank, Grand Forks	55,000	215,064.32
Citizens National Bank, Grand Forks	100,000	419,956.91
Grand Forks National Bank, Grand Forks	60,000	266,907.80
First National Bank, Hillsboro	50,000	246,110.54
Hillsboro National Bank, Hillsboro	50,000	162,323.79
First National Bank, Huron	75,000	346,629.22
Beadle County National Bank, Huron	50,000	162,862.27
Huron National Bank, Huron	75,000	319,044.20
National Bank of Dakota, Huron	50,000	138,904.11
James River National Bank, Jamestown	50,000	155,819.37
First National Bank, Larimore	50,000	148,902.23
First National Bank, Lisbon	50,000	157,861.09
First National Bank, Madison	50,000	118,498.89

Name	Capital	Aggregate Resources
Citizens National Bank, Madison	$ 50,000	$182,237.50
First National Bank, Mandan	50,000	169,134.49
First National Bank, Mayville	50,000	155,517.45
First National Bank, Minot	50,000	80,258.72
First National Bank, Mitchell	50,000	234,128.52
Mitchell National Bank, Mitchell	50,000	127,472.39
First National Bank, Parker	50,000	117,277.93
First National Bank, Park River	50,000	137,861.47
First National Bank, Pembina	50,000	205,773.03
First National Bank, Pierre	50,000	145,262.10
Pierre National Bank, Pierre	25,000	63,136.57
First National Bank, Rapid City	50,000	334,010.78
Black Hills National Bank, Rapid City	125,000	264,073.34
First National Bank, Redfield	50,000	158,612.78
Dakota National Bank, Sioux Falls	50,000	315,646.34
Minnehaha National Bank, Sioux Falls	200,000	711,781.47
Sioux Falls National Bank, Sioux Falls	100,000	405,668.89
First National Bank, Sturgis	50,000	107,912.82
First National Bank, Valley City	50,000	180,455.82
Farmers and Merchants National Bank, Valley City.	65,000	126,170.55
National Bank, Wahpeton	30,000	34,629.12
First National Bank, Watertown	50,000	153,512.21
Citizens National Bank, Watertown	50,000	163,088.07
Watertown National Bank, Watertown	50,000	129,862.14
First National Bank, Yankton	50,000	192,993.54

ABSTRACT OF COMPARATIVE STATEMENT OF THE STATE BANKS AND TRUST COMPANIES IN NORTH DAKOTA FOR CALLS AT THE CLOSE OF BUSINESS ON JUNE 30, AND SEPTEMBER 12, 1916.

Resources	658 State Banks 4 Trust Companies reporting on June 30, 1916	671 State Banks 4 Trust Companies reporting on Sept. 12, 1916	Increase (I) and Decrease (D)
Loans and Discounts	$65,818,820.44	$ 68,787,936.43	$2,969,115.99 I
Overdrafts	242,895.08	279,833.39	36,938.31 I
Warrants, Claims, etc.	1,867,701.22	1,925,382.60	57,681.38 I
Banking House Furniture and Fixtures	3,092,653.33	3,205,137.11	112,483.78 I
Other Real Estate	2,045,566.83	2,116,683.66	71,116.83 I
Due from Approved Reserve Agents	14,036,880.90	19,243,214.41	5,206,333.51 I
Due from Other Banks	978,102.38	1,336,409.54	358,307.16 I
Cash Items	516,363.22	485,665.87	30,697.35D
Cash on Hand	2,336,432.90	2,792,048.81	455,615.91 I
Totals	$90,935,416.30	$100,172,311.82	$9,236,895.52 I

	658 State Banks 4 Trust Companies reporting on June 30, 1916	671 State Banks 4 Trust Companies reporting on Sept. 12, 1916	Increase (I) and Decrease (D)
Liabilities			
Capital Stock	$ 9,713,000.00	$ 9,973,000.00	$ 260,000.00 I
Surplus Fund	2,994,067.71	3,052,082.22	58,014.51 I
Undivided Profits less current expenses	659,005.20	529,632.51	129,372.69 D
Due to other banks	1,574,652.09	2,092,861.33	518,209.24 I
Deposits subject to check	29,266,223.87	33,974,670.70	4,708,446.83 I
Demand Certificates of Deposit	873,899.65	874,363.58	463.93 I
Time Certificates of Deposit	41,879,834.42	45,258,453.89	3,378,619.47 I
Saving Deposits	2,339,491.87	2,459,925.67	120,433.80 I
Certified and Cashier's Checks	777,810.30	976,943.26	199,132.96 I
Bills Payable	644,438.00	760,562.12	116,124.12 I
Re-Discounts	207,982.53	205,359.85	2,622.68 D
Other Liabilities	5,010.66	14,456.69	9,446.03 I
Totals	$90,935,416.30	$100,172,311.82	$9,236,895.52 I

NATIONAL BANKS OF NORTH DAKOTA AS SHOWN BY THE REPORT OF THE COMPTROLLER OF THE CURRENCY. REPORT OF SEPTEMBER 2, 1915. CAPITAL, AGGREGATE RESOURCES AND DEPOSITS

Location and name of bank.	President.	Cashier.	Total resources and liabilities.	Capital.	Surplus.	Undivided profits.	Demand deposits.	Time deposits.
Abercrombie, First	Ingval Johnson	Franklin D. Tonne	$205,625	$25,000	$4,000	....	$31,595	$94,095
Ambrose, First	J. L. Mathews	D. C. Hair	199,231	25,000	5,000	....	55,017	79,437
Anamoose, Anamoose	J. J. Schmidt	A. J. Hoffer	286,659	25,000	5,000	....	54,077	151,776
Beach, First	O. C. Attlestead	L. E. Austin	350,694	25,000	11,000	$1,416	114,409	155,451
Belfield, First	R. C. Davis	J. O. Milsten	278,019	25,000	25,000	6,137	92,743	104,139
Binford, First	Lewis Berg	Oscar Greenland	168,696	25,000	5,000	468	55,901	78,837
Bisbee, First	A. Egeland	J. G. Behan	286,880	25,000	3,000	....	65,923	160,950
Bismarck, First	C. B. Little	Frank E. Shepard	1,591,969	100,000	100,000	12,072	965,249	169,196
Bismarck, City	P. C. Remington	J. A. Graham	723,274	50,000	10,000	8,957	233,965	224,153
Bottineau, First	W. H. McIntosh	F. W. Cathro	311,647	50,000	10,000	4,378	47,147	163,623
Bottineau, Bottineau	H. A. Batie	G. K. Vikan	262,965	25,000	10,000	....	69,120	151,845
Bowbells, First	A. C. Wiper	B. M. Wohlwend	207,902	25,000	5,000	....	98,174	63,000
Bowman, First	J. E. Phelan	Dugald Stewart	355,079	25,000	25,000	8,914	111,464	133,985
Brinsmade, First	E. Busbarth	H. J. Haugan	183,212	25,000	5,000	....	37,903	56,938
Buffalo, First	E. B. More	S. G. More	230,793	25,000	50,000	1,777	91,234	27,084
Cando, First	C. J. Lord	Harry Lord	442,401	25,000	35,000	....	114,974	240,437
Cando, Cando	C. J. Lofgren	D. F. McLaughlin	353,634	25,000	35,000	....	97,738	179,337
Carpio, First	B. J. Rasmussen	Oscar Herum	197,531	25,000	5,000	....	64,148	77,886
Carrington, First	G. W. C. Ross	G. S. Newberry	472,049	25,000	25,000	34,157	246,805	116,099
Casselton, First	R. C. Kittel	W. F. Kittel	307,629	50,000	10,000	7,363	175,328	154,198
Casselton, Cass County	Joseph Langes	J. L. Gunkel	368,500	25,000	25,500	5,659	139,746	163,109
Cavalier, First	H. A. Ryde	A. D. Porter	310,166	25,000	1,400	2,046	52,212	88,815
Churchs Ferry, First	H. C. Hansen	M. Engelhorn	179,620	25,000	5,000	1,776	52,101	70,743
Cooperstown, First	H. P. Hammer	Sewal Friswold	535,255	50,000	50,000	5,216	109,628	303,728
Courtenay, First	G. W. C. Ross	R. V. Reed	109,099	25,000	....	678	23,605	44,254
Crary, First	J. H. Smith	O. C. Sagmoen	149,165	25,000	10,000	....	53,206	31,959
Crosby, First	E. F. Volkmann	Harry H. Martin	110,197	25,000	1,000	....	29,407	47,597
Crosby, Citizens	A. M. Eckmann	Sigurd Bue	205,374	25,000	6,250	....	84,757	64,223
Crystal, First	Thos. Ryan	Guy M. Jamieson	195,514	25,000	6,003	707	55,516	60,990
Devils Lake, First	H. E. Baird	R. V. Rice	636,208	75,000	25,000	10,391	351,858	107,425
Devils Lake, Ramsey Co.	C. M. Fisher	Blanding Fisher	489,154	50,000	10,000	22,494	254,555	135,171
Dickinson, First	A. Hilliard	T. A. Tollefson	1,496,762	100,000	50,000	2,720	556,570	764,649
Dickinson, Dakota	H. C. Christensen	D. D. Mars	443,253	50,000	40,000	4,930	155,694	87,325
Dickinson, Merchants	W. L. Richards	Wilson Eyer	710,438	50,000	50,000	10,445	261,923	212,566
Drayton, First	J. R. Stong	H. A. Thom	390,760	25,000	25,000	2,538	126,250	129,952
East Fairview, First	A. F. Noble	L. P. Lanouette	126,485	25,000	5,000	2,748	42,240	20,096
Edgeley, First	W. T. Martin	A. J. Kesler	457,594	50,000	10,000	6,637	137,644	199,091
Edmore, First	D. H. Beecher	C. C. Honey	241,973	25,000	10,003	....	44,114	131,509
Egeland, First	D. F. McLaughlin	Geo. F. Elsberry	100,418	25,000	7,000	1,020	24,225	25,067
Ellendale, First	F. B. Gannon	G. E. Lane	436,560	25,000	40,000	8,978	212,953	115,471
Ellendale, Ellendale	F. J. Graham	H. C. Peck	175,717	25,000	4,200	....	45,300	74,995
Ellendale, Farmers	P. McGregor	Albert O. Strand	134,283	25,000	3,000	6,571	66,719	27,942
Fairmount, First	Geo. W. Mace	Wm. Dahlquist	191,088	25,000	5,000	....	51,615	61,923
Fargo, First	E. J. Weiser	G. H. Nesbit	3,680,284	300,000	200,000	29,965	1,434,442	705,013
Fargo, Fargo	M. Hector	G. E. Nichols	390,437	50,000	10,000	7,755	220,534	26,944
Fargo, Merchants	N. A. Lewis	S. B. Loven	1,255,342	100,000	75,000	25,974	369,839	292,626
Fessenden, First	H. Thorson	H. Ingvaldson	130,164	25,000	5,000	2,084	91,703	170,377

Location and name of bank.	President.	Cashier.	Total resources and liabilities.	Capital.	Surplus.	Undivided profits.	Demand deposits.	Time deposits.
Fingal, First	L. A. Batcheller	C. E. Batcheller	$ 300,776	$ 25,000	$ 5,000	......	$ 36,761	$ 73,015
Finley, First	E. Taisey	E. H. Gilbertson	250,638	25,000	25,000	$ 4,407	77,098	91,893
Forman, First	J. L. Mitchell	R. L. Himebaugh	176,798	25,000	4,000	715	49,314	75,769
Garrison, First	Adelbert Tymeson, Jr.	D. P. Robinson	158,032	25,000	5,000	464	74,727	36,331
Goodrich, First	R. W. Akin	Frank Schroeder	185,152	25,000	10,000	2,258	56,886	70,978
Grafton, First	F. H. Sprague	M. H. Sprague	442,718	50,000	10,000	211	125,302	171,653
Grafton, Grafton	D. C. Moore	D. M. Upham	517,485	50,000	10,000	6,125	145,852	255,498
Grand Forks, First	S. S. Titus	J. R. Carley	1,661,269	200,000	50,000	14,938	837,935	99,151
Hampden, First	C. D. Lord	E. R. Swarthout	128,598	25,000	5,000	......	17,173	71,435
Hankinson, First	E. L. Kinney	H. A. Merrifield	216,106	30,000	6,000	......	60,154	89,952
Hankinson, Citizens	E. Hunger	H. Kauthemer	275,093	30,000	10,030	......	61,693	118,400
Hannaford, First	O. E. Thoreson	R. L. Jones	172,330	25,000	10,000	......	32,973	60,781
Harvey, First	Aug. Peterson	J. J. Reimer	427,763	25,300	25,000	11,423	108,394	212,147
Hatton, First	M. F. Hegge	Abraham Hanson	305,501	25,000	15,000	2,163	114,832	128,516
Hatton, Farmers and Merchants	M. L. Elken	G. H. Bolken	216,964	25,000	10,000	2,408	45,298	98,994
Hebron, First	H. R. Lyon	J. H. Watts	238,449	25,000	8,000	1,415	121,590	82,443
Hettinger, First	C. E. Batcheller	A. G. Newman	208,483	25,000	8,000	1,223	75,572	73,685
Hillsboro, First	E. Y. Sarles	E. R. Sarles	550,378	50,000	10,000	7,973	149,112	280,016
Hillsboro, Hillsboro	J. H. Hanson	Ole Arnegard	551,465	50,000	10,000	7,489	125,320	308,656
Hope, First	J. D. Brown	F. W. Ehred	353,792	50,000	10,000	......	70,743	158,218
Hope, Hope	Ole Arnegard	Geo. A. Warner	294,492	50,003	10,000	......	50,040	78,476
Hunter, First	J. H. Gale	Peter McLachlin	184,215	30,003	6,000	2,508	34,693	91,014
Jamestown, Citizens	J. J. Nierling	C. R. Hodge	342,501	50,000	12,530	7,782	166,168	83,509
Jamestown, Farmers and Merchants	Michael Murphy	R. R. Wolfer	363,917	50,000	2,500	......	192,751	103,991
Jamestown, James River	H. T. Graves	A. B. De Nault	851,206	100,030	80,000	7,383	363,341	227,354
Kenmare, First	Charles J. Weiser	David Clark, Jr.	284,483	25,000	15,000	......	97,553	139,797
Kenmare, Kenmare	J. N. Fox	H. P. Thronson	299,272	25,000	25,000	......	124,597	92,329
Kramer, First	H. Thorson	H. O. Lyngstad	173,134	25,000	5,000	1,914	35,737	90,983
Lakota, National	G. W. C. Ross	R. D. Swengel	150,499	25,000	5,000	723	51,527	34,183
La Moure, First	David Lloyd	Paul Adams	347,619	25,000	15,000	1,580	117,810	159,893
La Moure, Farmers	H. Neverman	T. S. Hunt	276,243	50,300	10,000	......	24,262	80,879
Langdon, First	C. B. McMillan	J. H. Bain	377,196	50,000	20,000	3,321	67,654	203,235
Langdon, Cavalier County	W. F. Winter	John Sheehan	324,539	25,000	5,000	338	79,424	179,278
Lansford, First	John S. Tucker	A. G. Adams	178,911	25,000	3,000	1,095	46,869	94,447
Larimore, National	F. E. Kenaston	O. A. Hazen	152,437	25,000	5,000	......	60,881	40,166
Leeds, First	O. I. Hegge	N. H. Story	168,008	25,000	4,500	1,393	43,436	68,679
Lidgerwood, First	E. A. Movius	M. O. Movius	546,521	50,000	20,000	156	100,485	249,764
Lidgerwood, Farmers	M. Lynch	J. W. Stiteler	419,491	50,000	9,000	......	138,665	194,414
Linton, First	Frank Chesrown	F. J. Pletz	328,865	25,000	10,000	......	105,418	182,197
Lisbon, First	R. S. Adams	W. S. Adams	681,786	50,300	25,000	1,456	260,059	275,371
Litchville, First	A. P. Hanson	S. J. Sundet	225,099	25,000	5,000	......	63,600	96,499
Mandan, First	H. R. Lyon	J. B. Racek	1,277,445	50,000	85,000	......	414,267	548,479
Mandan, Merchants	F. S. Graham	L. S. Royer	241,663	50,000	......	......	63,570	78,269
Marion, First	Wesley C. McDowell	Lewis Baertsch	256,297	25,000	10,030	2,775	70,644	135,778
Marmarth, First	J. E. Phelan	P. J. Hackl	193,155	25,000	10,000	4,123	46,998	64,651
Mayville, First	K. G. Springen	Geo. O. Stomner	324,429	50,000	10,000	......	73,912	164,953
McClusky, First	J. A. Beck	A. Espeseth	141,178	25,000	2,150	1,542	37,735	67,751
McHenry, First	H. B. Halvorson	G. P. Cross, Jr.	97,656	25,000	......	272	17,060	10,423
McVille, First	C. H. Simpson	A. O. Moen	164,969	25,000	......	115	99,434	46,726
Medina, First	Michael Murphy	Wm. F. Stege	218,531	25,000	4,000	......	71,957	100,999
Milnor, First	E. B. Johnson	A. W. Eastman	147,348	25,000	5,000	390	34,745	71,440
Milnor, Milnor	F. W. Vail	H. J. Edmon	251,271	30,030	6,000	759	74,823	113,891
Milton, First	John Wild	H. G. Halverson	137,740	25,000	5,000	......	30,503	78,287
Minnewaukan, First	O. I. Hegge	C. F. Pierson	253,250	25,000	5,000	3,695	63,694	108,934
Minot, Second	R. E. Barron	H. E. Byorum	1,239,849	100,000	50,000	51,641	455,778	407,795
Minot, Union	E. S. Person	Jas. S. Flatland	360,745	50,000	30,000	1,546	188,656	113,457
Mohall, First	H. H. Steele	P. A. Benson	164,595	25,000	5,000	284	77,115	27,506
Mott, First	R. E. Trousdale	E. H. Trousdale	275,616	25,000	12,500	1,048	92,711	138,097
Munich, First	David H. Beecher	O. A. Drews	156,113	25,000	5,000	1,180	12,406	106,927
New England, First	Aug. Peterson	H. E. Schroeder	219,806	25,000	5,000	9,372	56,410	85,824
New Rockford, First	Wm. Roberts	H. F. Rivedan	261,259	25,000	6,000	......	73,432	131,443
New Salem, First	Chas. F. Kellogg	J. Henry Kling	232,339	25,000	4,050	......	41,217	143,172
Northwood, First	A. B. Landt	W. E. Johnson	368,363	25,000	10,000	963	106,517	190,392
Northwood, Citizens	K. G. Springen	A. S. Ellingson	199,210	25,003	3,000	......	84,288	54,924
Oakes, First	T. F. Marshall	J. E. Bunday	409,223	25,000	15,000	1,136	147,532	185,881
Oakes, Oakes	Chas. S. Brown	Hans Lee	244,736	25,000	5,000	......	56,032	83,836
Omemee, First	D. McKinnon	A. R. Batie	153,300	25,000	10,000	3,542	28,271	79,696
Osnabrock, First	John Trotter	T. L. Tillisch	262,557	25,003	5,000	2,079	45,240	160,038
Page, First	L. B. Hanna	M. N. Mallory	229,086	25,000	7,500	4,051	108,339	59,996
Park River, First	Karl J. Farup	K. D. Bennett	255,156	25,000	20,000	2,670	70,482	213,335
Plaza, First	Robt. W. Akin	L. E. Linder	224,216	25,000	10,000	5,870	80,797	80,240
Portland, First	G. A. White	P. M. Paulson	250,079	25,000	10,000	......	80,601	128,319
Reeder, First	Aug. Peterson	A. E. Johnston	173,364	25,000	5,000	88	34,031	56,482
Reynolds, First	S. N. Thompson	Wm. F. Huck	85,673	25,000	2,750	......	13,316	30,082
Rock Lake, First	W. J. Lichty	H. B. Gray	143,416	25,000	6,000	......	34,597	48,419
Rolette, First	A. Eyeland	C. O. Myhre	166,349	25,000	5,000	76	52,675	39,509
Rolla, First	W. N. Steele	Robt. Fraser	220,633	25,000	25,000	4,213	41,944	106,076
Ryder, First	Aug. Peterson	C. H. Christiansen	156,399	25,000	5,000	10,844	62,764	50,262
St. Thomas, First	E. T. Thompson	H. L. Barnes	130,018	25,000	5,000	1,326	28,114	65,578
Sanborn, First	E. A. Engebretson	Louis Malm	232,273	25,000	10,300	7,544	49,330	83,218
Scranton, First	W. A. Shaw	R. J. List	171,922	25,030	7,500	1,680	50,783	41,819
Sentinel Butte, First	E. J. Curtin	W. C. Stuhr	170,997	25,000	2,500	1,290	41,042	79,805
Sharon, First	Alexander Curry	O. H. Olson	206,343	25,000	6,000	1,836	33,746	105,676
Sheldon, First	Gus O. Kratt	R. E. Kratt	155,952	25,000	5,000	3,589	41,989	42,874
Sheyenne, First	D. N. Tallman	S. G. Severtson	213,889	25,000	8,050	......	37,988	117,982
Stanley, First	T. L. Beisecker	R. W. Taylor	146,463	25,000	3,000	......	46,557	65,958
Starkweather, First	T. J. Dougherty	Chas. A. Potter	173,090	25,000	5,093	9,791	49,720	52,979
Steele, First	Jno. F. Robinson	F. D. Jones	232,429	25,000	15,000	2,559	116,891	47,195
Streeter, First	F. S. Graham	R. J. Hoeschen	130,880	25,030	......	......	48,416	45,783
Tolley, First	J. L. Mathews	W. E. Hynes	166,499	25,000	5,000	485	42,345	77,349
Tower City, First	A. M. Voorhees	S. F. Sherman	338,657	50,000	15,000	4,573	87,852	92,783
Towner, First	J. R. Carley	J. N. Kuhl	181,552	25,030	3,200	......	54,814	73,195
Turtle Lake, First	Wm. Lierboe	R. T. Lierboe	127,355	25,000	3,000	......	23,337	57,007
Valley City, First	Herman Winterer	John Tracy	977,330	100,000	100,000	3,032	334,978	406,445
Valley City, American	James Grady	H. C. Aamoth	497,948	50,000	50,000	2,635	128,188	190,422
Wahpeton, Citizens	E. R. Gamble	J. P. Reeder	505,682	55,000	20,000	9,449	153,423	165,188
Wahpeton, National	Joseph Patterson	W. F. Eckes	411,000	50,000	10,000	......	105,778	128,914
Walhalla, First	C. W. Andrews	L. F. Lepage	135,188	25,000	2,500	62	26,772	28,542
Washburn, First	Geo. L. Robinson	Aug. E. Johnson	370,565	25,003	15,000	193	127,252	167,462
Williston, First	O. I. Hegge	W. S. Davidson	937,102	75,000	25,003	720	253,662	344,619
Willow City, First	F. M. Rich	C. W. Wilkins	214,529	25,000	10,000	......	43,183	98,241
Willow City, Merchants	J. S. Odland	Geo. B. Werdel	197,090	25,000	5,000	2,448	53,980	99,906
Wimbledon, First	F. C. Lovell	H. M. Stroud	225,391	25,300	9,000	98	67,291	88,907
Wimbledon, Merchants	J. E. Fox	C. C. Beers	114,163	25,000	5,000	......	24,760	39,939
Wyndmere, First	H. H. Bug	C. B. Paulsen	125,935	25,000	5,000	......	42,066	33,939

CHAPTER XXXV

HISTORY OF METHODISM IN NORTH DAKOTA

BY WILLIAM H. WHITE

The history of the first Methodist Episcopal Church of Fargo is, largely, the history of early Methodism, in that part of the great Northwest north of the forty-sixth parallel of latitude and west of the Red River of the North. Long before the Indian title to the lands in the Red River Valley was extinguished, the pioneer Methodist preacher took up his work of laying the foundation of our great church in this country.

In the omniscient mind of the Master nothing is left to chance.

As we witness the unfolding of His plans, we realize how for generations unborn His loving thoughtfulness provides.

In the early history of Methodism in the little town of Adiz, Ohio, over seventy years ago, our sainted Bishop Simpson grew up with, and by his pure life was the means of the conversion of, a young man by the name of Gurley. While subsequently associated with him in Allegheny College, he was instrumental, through divine direction, in young Gurley's entrance into the ministry, who, later, became the father of Methodism in this portion of the Northwest.

Rev. James Gurley, better known by the affectionate title of Father Gurley, took up his residence at Brainerd, Minn., as a missionary of the Methodist Church, in the fall of 1871, his mission extending from Duluth, on Lake Superior, to the entire then inhabited portions of Northern Minnesota, and what is now known as North Dakota.

The beginnings of Methodism in Northern Dakota, under the direction of Father Gurley (like that movement under the direction of Wesley), had its origin in the prayer and exhortation meetings held in the shanties of the pioneers. Through the years of 1871 and 1872 no church organization was effected in all of Northern Minnesota and Dakota, except at Duluth and Brainerd. Fargo being but one of the many appointments upon a circuit of 150 miles, could claim only a portion of Father Gurley's time, and great were the sacrifices he made to reach it. He, however, laid the foundations of the church in this state, strong and deep, and upon this foundation, since 1872, Methodism has been building.

No official local organization was effected in Northern Dakota during the year 1873, but Methodism assumed more permanency and a nucleus was definitely formed at Fargo, of which the legal existence of the Fargo church was the outgrowth in 1874.

During 1873 Northern Dakota was joined to the Northwest Iowa conference and was known as the Northern Pacific Mission. The Rev. John Webb was regularly appointed by that conference as general missionary west of the Red River, Rev. Gurley retaining the work in Northern Minnesota. Mr. Webb's residence was at Fargo and his circuit comprised the district in which now are situated the towns of Jamestown, Caledonia, Grand Forks and Abercrombie, but no churches were officially organized at any of these points at this date.

Church services during 1873 were regularly held at Fargo in what was known as Pinkham's Hall, located on the corner of Front and Fifth streets. Rev. Mr. Webb officiated when in Fargo, his place being supplied during his absence by Father Gurley or by services conducted by some of the laity.

While no official membership existed, the church affairs were generally looked after by Mr. and Mrs. Alonzo Plummer, Miss Emma Plummer and William H. White. A Sunday school of about twenty scholars was formed with Wm. H. White as superintendent and with Mrs. Plummer and Miss Plummer as teachers. These informal organizations existed in Fargo throughout this year, Rev. Mr. Webb fostering them and giving them the larger portion of his time in connection with his duties at other points on his circuit.

A church building was talked of and some funds raised, but nothing further done except to select and solicit from the railroad company a donation of two of the lots upon which our present church stands.

Early in the year 1874 energetic steps were taken toward collecting money and laying plans for the erection of the first Methodist Church in North Dakota.

Through the kindness of the Northern Pacific Railroad Company in giving free rates for freight on building material, and the generosity of merchants and business men generally, irrespective of denomination, a subscription sufficient for the commencement of a small church was raised and active operations toward its erection were begun early in the spring.

The church building (the dimensions of which were about 30 by 50 feet) was completed and ready for occupancy by the 1st of July.

On the 20th of July the legal existence of the First Methodist Church and Sunday school of Fargo may be said to have begun, although for nearly a year prior to this date an organized Sunday school and services under the auspices of the Methodist Church had been held with such regularity as the opportunities and circumstances of the time would permit.

The meeting was held in the church building, the Rev. H. J. Christ of Brainerd, Minn., presiding. Those present were Rev. John Webb, missionary to the Northern Pacific mission, James Douglas of Moorhead, Minn., Alonzo Plummer, Mrs. Alonzo Plummer, Miss Emma Plummer and Wm. H. White. A board of trustees was elected consisting of N. K. Hubbard, Geo. I. Foster, Alonzo Plummer, secretary, and Wm. H. White, president.

There was no board of stewards formed at this time, as the membership consisted of but one person (Wm. H. White), who was continued as Sunday school superintendent, the school at that time consisting of about twenty members. After determining the cost of the new building to be $1,200, upon which had been paid about $800, a canvass of subscriptions showing a deficit of $200, and after devising plans for the support of Rev. Mr. Webb as missionary, the meeting adjourned.

While the church was started practically without a membership, according to the church records, its membership comprised the entire town as far as sympathy, interest and aid were concerned, and the interest manifested by the congregation insured success from the beginning; and for several years after it was the church home for all denominations until, with the incoming of new people, these organizations were of themselves sufficiently strong to build their own houses of worship. The first loss of this nature occurred December 30, 1877, when the Presbyterians, who had worshipped with us, went off to form a society of their own denomination. These were followed September 22, 1878, by the Baptists, who had erected for themselves a church building. Later, November 2, 1881, the Congregationalists likewise erected their own church edifice. These repeated drains upon our working membership were felt, but those of our own, with renewed energy and added zeal, taking up the work, no serious drawbacks attended these repeated withdrawals. In the fall of the year mentioned (1874) our church was dedicated. At this time a subscription was taken sufficiently ample to free it from debt. During this year Missionary Webb had also formed a nucleus for a church at Grand Forks fostered by the Fargo church by donations of books, etc. In the fall of 1874 the Northwestern Iowa Conference returned the Rev. John Webb to the Northern Pacific Mission, with headquarters at Fargo, and, as an assistant, the Rev. Mr. Curl was appointed, with headquarters at Grand Forks.

During the spring and summer of 1875 the Fargo charge was one of a circuit as in former years, the Rev. Mr. Webb giving most of his time to this part of the work, but also laying such foundations throughout the territory as were afterward developed, largely through the instrumentality of the Fargo church.

In the fall of 1875 the Northwestern Iowa Conference established a district of Northern Dakota, calling it the Northern Pacific District. Rev. Mr. Webb was appointed presiding elder and Rev. J. T. Walker pastor at Fargo. This was the first appointment made directly to Fargo. On account of ill health Mr. Walker was unable to take the appointment and the Rev. J. B. Starkey was transferred from Onawa, Iowa, and appointed to Fargo in Mr. Walker's place. Brother Starkey arrived in Fargo on November 13th.

On Sunday, November 14th, he preached his first sermon in Fargo, being the first sermon preached by a regularly appointed pastor at Fargo.

The congregation numbered twenty-three people. The membership at this date, according to records now in Rev. Starkey's possession, consisted of five persons, namely: Miss Alvira Pinkham (now Mrs. Geo. Cooper), Mrs. E. A. Grant, Mrs. Geo. I. Foster, Mrs. E. A. Atkinson and Wm. H. White. The Sunday school at this date was reorganized under the Sunday School Union with the same officers and teachers. The first prayer meeting held by the new pastor was in the church on the evening of November 18th, four persons being present. Revival meetings were planned by Reverend Starkey shortly after his arrival and continued for two weeks. While no additions were made to the church, the influence for good on the town was marked, and the church as an institution was strengthened thereby.

During the spring and summer of 1876 Rev. Mr. Starkey, in connection with his pastoral work, was very energetic in his efforts to advance the cause of temperance in the town, lecturing and organizing a temperance band which had a marked influence on its temperance principles.

In the fall of 1876 North Dakota was placed in the Sioux City district, with

Rev. T. M. Williams presiding elder. He visited Fargo but once during the conference year, having to travel by the way of St. Paul, Northern Pacific Junction and Brainerd, a distance of 600 miles, to reach the district. Rev. Mr. Starkey acted in the double capacity of pastor at Fargo and presiding elder, rendering faithful service in enlarging the plans started by the Rev. Mr. Webb throughout North Dakota, and in addition to his faithful service at Fargo he completed a church at Grand Forks.

Mr. Starkey's pastorate in Fargo terminated in the fall of 1878.

As a pastor he was a man of influence in Fargo, not only in the church, but throughout the town and at adjacent points. His untiring efforts and fervent zeal placed the church upon a permanent foundation with opportunities for rapid advancement under subsequent leadership.

On September 28, 1878, at a meeting held at Cherokee, Iowa, by a joint commission from the Northwest Iowa Conference and the Minnesota Conference, it was decided to attach to the Minnesota Conference all the territory north of the forty-sixth parallel of latitude, and the presiding bishops of each conference, concurring in this decision, completed the transfer, thus making North Dakota and Fargo charge at this date in the Minnesota Conference, and designated as the Red River district. Later, in the fall of 1878, the Minnesota Conference appointed the Rev. Mr. Starkey presiding elder of this district, and Rev. Mr. Barnett, a transfer from Kentucky, as pastor at Fargo. Rev. Mr. Barnett failing to meet the appointment, Presiding Elder Starkey appointed the Rev. H. B. Crandall, from Alexandria, to Fargo. Mr. Crandall served this charge as pastor during the conference year of 1878 and 1879, enlarging the membership of the church, organizing its societies and rendering efficient service during his pastorate.

On October 6, 1879, Rev. C. F. Bradley was transferred from Duluth to serve the Fargo charge, Rev. Mr. Starkey being reappointed presiding elder. Mr. Bradley's pastorate was of only a year's duration, but it was a year crowded with improved opportunities and rapid strides in the development and extension of the interests of the church, and through the Fargo church to the entire district. During this year Mrs. S. M. Stiles, of Hartford, Conn., solicited in Eastern cities and shipped to the Fargo church nearly a ton of Sunday school books and church literature, which in turn, through the wise management of Rev. Mr. Bradley and officers of the Sunday school, were reshipped to the various new towns springing up about Fargo, and were an incentive to the beginning of new Sunday schools, which have developed into what are now our neighboring Methodist churches.

The gift also formed the basis of our present Sunday school library. Mr. Bradley's pastorate was also characterized by an unprecedented religious growth in the church. The membership numbered about one hundred.

A literary society of unusual interest was formed. The class meeting was well attended and every department of the church showed the favorable results of sympathetic interest and effort between pastor and people. His ripe scholarship, judgment and dignified christian bearing drew many outside of any church relationship and, by enlarging our congregations, benefited those who came and contributed to the material interests of the church. From these conditions our church soon proved inadequate to our needs, necessitating action with reference to a new church building. Late in the summer of 1880 Mr. Bradley received a call to a professorship in Hamline University, which he accepted, after a vacation, at the end of the conference year; the church being supplied by Rev. C. N. Stowers, of the Wisconsin Conference. On October 11, 1880, Rev. C. N. Stowers was regularly appointed to the Fargo charge and served as its pastor until the summer of 1881, at which time he was obliged to resign on account of ill health occasioned by overwork, and the Rev. S. B. Warner was transferred from the Upper Iowa Conference to finish the year. The fall of 1880 and the winter of 1881 under the pastorate of Brother Stowers were busy seasons for Methodism in Fargo. The little church which had accommodated the society for six years became entirely inadequate to the needs of the growing congregation, and it was sold to the Catholics. It was not without great regret that the members saw the building which had so long been their church home, mounted on rollers and slowly moved from the location upon which it had been of so much influence. In its place was erected a building better adapted to the convenience and comfort of the growing society, at a cost of $5,000. Subscriptions had been taken but the funds realized were insufficient to free it from debt, and most heroically did the membership at repeated times respond to the call for financial aid and, for the reason that we prize those things which cost the greatest struggle to acquire, the new church soon began to be recognized and appreciated as the church home in the same sense as was the little old church which had been so deeply seated in the affections of the people. By Christmas, 1880, the new church was finished, and pastor and people devoutly returned thanks for the divine aid which had enabled them to construct, for His worship, a building so commodious. At this time was placed in the tower the first bell that proclaimed protestant christianity to the people of North Dakota, and, being the first member of any protestant church in North Dakota, Wm. H. White was called upon to first send its tones vibrating through the air.

About this time the membership numbered 125 and the Sunday school 150.

On September 29, 1881, the Minnesota Conference convened and was entertained at Fargo, its sessions being held in the Fargo church. At this time the Rev. J. B. Starkey, who since November 30, 1875, had served the people so faithfully, closed his relations with the district to take work in another field. Largely through his self-sacrificing and energetic labors the Fargo membership had grown from 5 to 125, and the district from two churches to over two dozen churches, nearly all of which owe their start and success to him.

At this conference (September 29, 1881) the Rev. S. B. Warner was appointed pastor and Rev. G. R. Hair presiding elder of the Fargo district.

On December 31, 1881, Wm. H. White resigned the superintendency of the Sunday school, after a service of eight years dating from its beginning. He was succeeded by T. S. Quincy, who served until September 1, 1882, and who was in turn followed by Smith Stimmel, who acted in the capacity of superintendent until May 1, 1883.

The church under the pastorate of Rev. Mr. Warner, during the conference year of 1881 and 1882, rapidly increased in numbers. Being at a period of great influx of people to Fargo, the interests of the church were stimulated by the acquisition of new members, and under the careful and painstaking supervision of Rev. Mr. Warner the spiritual, social and financial interests of the church received a great impetus. The pastorate of Rev. Mr. Warner closed October

4, 1882, and that of Rev. M. S. Kaufman began, continuing through a period of three years from October 4, 1882, to September 24, 1885. This period of church history is one of great importance. Fargo was at the height of business prosperity and the center of activity for the surrounding country. Many operating large farms in the country, and carrying on other lines of industry, resided at Fargo and made this their church home. During Rev. Mr. Kaufman's ministry the Foreign Missionary and Ladies' Aid societies developed unusual activity and interest. Special revival services were held each year, those of one winter being protracted through eleven consecutive weeks, resulting in many conversions and valuable accessions to the church. Much of the prosperity and growth during this period was due to the earnest and faithful work of Brother Kaufman, with those who so nobly seconded his efforts. During this period the general conference, which met in Philadelphia May, 1884, divided the Minnesota conference and established the North Dakota Mission conference, also passing an enabling act for the Mission conference to become an annual conference when deemed advisable. The first session of the Mission conference was held at the Fargo church October 2, 1884. Bishop Fowler presided. At the second session of the North Dakota Mission conference, held at Wahpeton, September 24, 1885, the Rev. S. W. Ingham, of the Upper Iowa conference, was appointed to Fargo, serving three years. The Rev. H. B. Bilbie, of the Minnesota conference, was appointed presiding elder of the district at the same time, serving the same period.

At the third session of the North Dakota Mission conference held at Grand Forks October 14, 1886, Bishop Harris presiding, a motion was made by the Rev. D. C. Plannette that an organization of an independent conference be effected, to be called the North Dakota Conference. This motion was carried by a vote of 29 to 2, thus accomplishing the final work of Methodist conference building in North Dakota.

Fargo was again the seat of the conference which convened October 19, 1887, being the first session of the North Dakota annual conference. This gives the Fargo charge the honor of not only holding the first Methodist service in North Dakota, but the first Mission conference and the first annual conference as well.

During the pastorate of Rev. Mr. Ingham the superintendency of the Sunday school was held by Wm. Mitchell, who succeeded Smith Stimmel on May 1, 1883, holding the office until May 1, 1888, when he was succeeded in office by W. P. McKinstry.

On October 11, 1888, Rev. G. S. White of the Central New York conference was appointed to Fargo by Bishop Hurst, D. C. Plannette being returned as presiding elder. Rev. G. S. White's pastorate was characterized by renewed activity on the part of the church along various lines of work.

He formed among the younger membership the Young People's Christian League, having in view the maintenance of a Sunday evening devotional meeting conducted by young people. This later became the Epworth League of our church. A Friday evening class meeting was also organized for the older members. Through the energetic efforts of Brother White a directory was prepared with photographs of all the churches, their location, names of pastors, times of meeting, etc., and placed in the various hotels, the postoffice and other places for the benefit of strangers.

During this pastorate the missionary work was taken up with added zeal and renewed effort and the introduction of pyramid mite boxes materially increased the funds of the society. Amounts were raised by the Ladies' Aid Society and expended for parsonage furniture and plans were also begun for the erection of a parsonage, being carried into effect the following year. The pastorate of Rev. G. S. White was followed by that of Rev. D. W. Knight, a transfer from the East Ohio conference.

The history of the church under Rev. Mr. Knight's ministry, covering a period of two years, may best be told in his own words, as taken from the following letter:

"My pastorate of First M. E. Church, Fargo, began December 22, 1889, and closed November 1, 1891. Was transferred from the East Ohio to the North Dakota conference by Bishop Hurst and appointed to the First M. E. Church by Bishop Mallalieu about the 25th of November, 1889. Rev. D. C. Plannette was presiding elder; Rev. G. S. White was my predecessor. We arrived in Fargo, December 21, 1889, and Sabbath morning, the 22d, first met in worship that royal people. Our acquaintance grew rapidly, and I soon found I had a choice people in the city numbering about 125. An active Epworth League and a wide awake Sabbath school greeted the pastor.

"Christmas festivities and receptions opened the doors in many of the best homes of the city for new friends and friendships that warm our hearts whenever thoughts revert to Fargo and pastorate there.

"The winter of 1889 and 1890 was taken up with visitation and some revival efforts, which we have reason to believe were not wholly in vain.

"With the opening spring came the enterprise of building a parsonage, in which enterprise, I had been informed, I was expected to lead.

"The work was undertaken and, everything favoring, the 1st of November, 1890, we moved into our new home, a gem of modest beauty, one of the cosiest and most attractive for the cost in the city. It cost $2,000. Church repairs and improvements of property added made a total of nearly $2,500, which was all paid by the good people and no debt remained when Dr. May began his pastorate in November, 1891.

"Soliciting money for church enterprise is often accompanied by unpleasant greeting from the solicited, but I must say I had the fewest while soliciting. On the other hand, I had most pleasant experiences and especially from the non-members. When asked to help in the enterprise they would say, 'I will help you for you have a noble people, men and women, in your church who occupy the first place among us and are worthy.' My heart often warmed and glowed when I heard my own thus commended and honored.

"With this standing it is no marvel that First Church raised nearly $8,000 for all purposes in the two years. The membership varied with losses and gains; losses by death and removal.

"Mrs. Thomas Hanson and Mrs. Bamford and others died. Many came in by letter and without, yet the gain, above all losses, left some advance in the membership. Benevolences increased steadily, fellowship grew and the spiritual life magnified, until there was a most happy state of soul in the church. For all this I take no especial credit. The church was on the verge of growth and development. I entered at an opportune time and went with the tides that bore on to prosperity. To God be all the praise, for under my successor's pastorate for five years the tides widened and deepened, until the First Church has taken first rank in the great Northwest.

"Blessings divine on Fargo and the First M. E. Church."

This letter shows for itself the sweet and unselfish spirit of our brother Knight, who is deserving of much more credit for the favorable conditions he notes than he accords to himself.

NORTH DAKOTA METHODISM, BY REV. CHARLES A. MACNAMARA

What is now known as the North Dakota Conference of the Methodist Episcopal Church was formerly incorporated in the Minnesota Conference, and the annual gathering of that body of ministers, assembled in the young and aspiring City of Fargo, Dakota Territory, in the fall of 1881, Bishop Cyrus D. Foss presiding. In 1884, the General Conference of the Methodist Episcopal Church granted the request of the Minnesota Conference that the Red River Valley District (which comprises all of what is now the State of North Dakota) be formed into a mission conference. There was appended to the order for the formation of the mission, "an enabling act." The North Dakota Mission, embracing all of what is now the State of North Dakota, met in Fargo, October 2, 1884. Bishop Chas. H. Fowler presided. There were fourteen ministers present. The statistical table shows that there were 2,016 members and probationers; that seventeen churches had been erected at a cost of $56,200, and six parsonages, valued at $7,000, and there were thirty-seven Sunday schools, with an enrollment of teachers, officers and scholars numbering 2,125. Ministerial support amounted to $16,767.

The second session of the Mission Conference was held in Wahpeton, September 24, 1885. At the next session of the Mission Conference, which assembled in Grand Forks, October 14, 1886, the authority given in the enabling act was made use of and the North Dakota Annual Conference was organized, having an enrollment of twenty ministers and six probationers. Bishop William L. Harris presided. The conference was divided into two districts, having Grand Forks as the head of the northern part of the conference and Fargo as the head of the southern part of the conference.

The first session of the conference after its organization was held in Fargo, October 19, 1887. Articles of incorporation presented by William H. White were signed and acknowledged.

Bishop Cyrus D. Foss presided at this conference. Seven trustees were appointed, of which Mr. William H. White was elected chairman. A half section of land had been deeded by Mr. and Mrs. H. P. Hovey of Freedom, Ill., for the benefit of the conference claimants, and on motion it was decided to improve the land. At this early stage this young conference was found taking steps to locate an institution of learning, which did not take material form for several years.

At this conference North Dakota elected its first representatives to the General Conference, twenty-five votes were cast, Rev. D. C. Planette received twenty-one and was declared elected. The laymen were called to order and welcomed by the Fargo delegate to the Lay Electoral Conference. William H. White nominated Dr. S. J. Hill, of Fargo, who was then elected lay delegate to the General Conference. Rev. Dr. Jackson, a chaplain in the United States army, addressed the joint conference on his early experiences as a pioneer preacher in North Dakota. It is notable that even in those days of our territorial organization, when we had a county local option law, granted by the Territorial Legislature, the lay conference was calling for the submission of the liquor question to a vote of the people, "independent of all political parties." A thing which was actualized two years later, when the State of North Dakota came into the Union with a prohibitory clause, adopted separately, by a majority of the voters.

Of those whose names appear in the conference roll, only three remain at this writing, namely, Chas. A. Macnamara, superintendent of the Fargo district, Henry P. Cooper and William R. Morrison, in the order of seniority given.

The next session of the conference was held in Jamestown, Bishop John F. Hurst presiding. Most of the time at this long-to-be-remembered conference was consumed in a church trial which, after all, failed to bring conviction of any serious wrong, and which might have been avoided by the exercise of a little brotherly kindness. A third district was formed at this conference. The appointments had grown so that sixty-eight ministers were stationed, with forty-four church buildings and seventeen parsonages. Members and probationers, 3,631.

Thirteen years prior to this, the first church organization in the state had been effected, in Fargo, of which Mr. William H. White was the only male member, and he was elected superintendent of the first Sunday school organization in the northern part of Dakota Territory.

A pebble in the streamlet, scant
  Has turned the course of many a river.
A dew drop on the tiny plant
  Has warped the giant oak forever.

Bishop Hurst predicted that before many years North Dakota would be a field of activities supporting several conferences.

In the reports of the presiding elders made to the conference of 1889, at Drayton, we read of the failure of crops and of the requests from several places that no minister be sent for the next year. But the conference did not think that the Methodist preacher should shirk the hardships to which the people were subjected. The pastors were appointed, and without one exception, all went to their fields of labor. Presiding Elder Hovis, by vote of the conference, was given permission to go to some of the eastern conferences and make an appeal for help for some of the very needy fields in the Northwest District. From the report of the committee on education we find that the location of the college was still a problem, with eight of our young cities desiring it. At the Lisbon conference, October, 1890, action was taken which required the decision of this question of location, and on February 25, 1891, Wahpeton was selected and Dr. J. N. Fradenburgh was elected to the presidency at a salary of $2,000.

On June 4, 1891, Bishop Fitzgerald laid the corner-stone of a building which was to cost $40,000, and it was named "Red River Valley University." Wm. H. White was elected chairman of the board of trustees. During the year 1905 the seat of the school was changed and was located at Grand Forks. The building at Wahpeton was sold to the state and is being used as the State Science School. "Wesley College," the new name given to the old corporation, was affiliated with the Grand Forks University.

Rev. D. C. Planette, D. D., did much for the educational interests of the church in the state, as well as the religious. He published a church paper entitled The Dakota Methodist. An old style camp meeting was held at Carlisle, Pembina County, July, 1884, under his direction. This was the very earliest effort of this kind made in the northern part of the territory, and was continued with great profit to that part of the conference for several years. Others were held at Hamline, County of Richland, and Mayville, in Traill County, on the Goose River. Rev. Chas. A. Macnamara preached the first sermon at the Carlisle camp ground. There is at present a permanent camp ground of ten acres located at Jamestown, which is well sustained. It is worthy of note that the first efforts to locate a Chautauqua Assembly in the state were made by a company of the Methodist ministers. Devils Lake was the place chosen. Dr. Eugene May, the pastor of First Church of Fargo, with Rev. C. W. Collinge and Rev. Jacob A. Hovis were the promoters of this summer assembly.

In June, 1893, the City of Fargo was swept by fire and two-thirds of the business section was destroyed, and the newly erected Second Methodist Church, located on Robert Street, was totally burned. But the congregation immediately began arrangements under the leadership of Presiding Elder D. C. Planette to rebuild. At this time Dr. M. V. B. Knox was president of the Red River Valley University, with four additional members of the faculty.

The First Church of Fargo had undertaken a new brick building to cost $25,000. On the last night of the old year, 1896, at the watch night service started in the old building, the entire congregation passed into the new church building with singing, and this, the third church building erected by this congregation, was occupied and pronounced the "finest church in the state," at that time. There was present at this service Dr. J. B. Starkey, the first pastor of the church, and later a presiding elder in this state, who headed the procession, bearing on his shoulders the pulpit, which he had made years before, for use in the first church building. This was the only piece of church furniture which was carried from the old church to the new one. Rev. W. H. Vance was pastor.

About this time the Grand Forks congregation had built their second structure, a fine red brick, at a cost of $25,000.

The Epworth League was in the height of its usefulness, and great and inspiring meetings were planned for in the state conventions, for the hosts of enthusiastic young people. At the conference of 1900, at Grand Forks, Bishop C. C. McCabe consecrated Mrs. K. M. Cooper a deaconess in the church and playfully called her "The Daughter of the Regiment." At this conference, Bishop McCabe delivered his famous lecture on "The Bright Side of Life in Libby Prison." At the 1900 General Conference, United States Senator Martin N. Johnson was one of the lay delegates. Rev. J. G. Moore was appointed to have charge of the Minot District. It was at a period when the influx of settlers to our western prairies was greater than it had been for years. He was the man for the occasion, and in five years brought about wonderful results for God and Methodism.

At the same time Rev. S. A. Danford was placed in charge of the Fargo

District, which reached from the east to the west line of the state, and about one-third of the distance from north to south. Five years of consecrated effort made a most remarkable change in the religious and material interest of that portion of the state.

In October, 1906, Bishop C. C. McCabe made his last visit to our state and conference. The date of the opening of the conference was the anniversary of his seventieth birthday, and amid great rejoicing his brethren tendered him a reception and most hearty congratulations. Mrs. McCabe was with him, and they responded with a song, while the large audience passed in front of the rostrum and shook hands with the happy couple.

In 1908, Bismarck started the erection of their $20,000 church building, and named it the McCabe Memorial Church. The corner-stone was laid by Bishop D. H. Moore. The membership of the conference had so increased that the delegation to the General Conference was now six, three laymen and three ministers. Judge Chas. A. Pollock headed the lay delegates at the conference of 1908. A solicitor was appointed to create an endowment fund for the conference claimants and in four years there was raised, in cash and pledges, $138,000.

At the same time Mr. William H. White was given entire control of the funds accruing for the crop raised on the conference land, which he had invested and reinvested until it had increased to $16,000, and it was named "The William H. White Fund."

At the present time there are 175 regular appointments made to the churches of the conference in the state, with five appointments of pastors to special work and college duties.

The church membership has increased to almost thirteen thousand, and investment in church and parsonage property has reached $1,018,795, and pastoral support has attained the sum of $160,566, while the annual contributions to the benevolent causes has grown to $29,645. Wesley College has two fine buildings, the gift of Mr. Sayre and N. G. Larimore, valued at $50,000. Dr. E. P. Robertson is president.

CHAPTER XXXVI

HISTORICAL SKETCH OF THE UNIVERSITY OF NORTH DAKOTA

The State University was organized under the provisions of a bill passed by the Territorial Legislature February 16, 1883. By this law it was to be a coeducational institution styled the State University of North Dakota, made up of a combined college of arts and letters and a normal college. It is of some interest to note in this name the first official use of the words North Dakota, the sister institution in what was later South Dakota being called the University of Dakota. On the same date an act was approved providing for the issuance of territorial bonds to the amount of $30,000 to provide for the construction of the present main building of the university. By the same act the bond issue was made contingent on the gift to the territory of a site of not less than ten acres and a well equipped observatory costing not less than ten thousand dollars.

In pursuance of the act of organization, Governor Ordway apppointed the first board of trustees as follows: Dr. W. T. Collins, Grand Forks; Dr. R. M. Evans, Minto; E. A. Healy, Drayton; Dr. C. E. Teel and James Twamley, Grand Forks. At a meeting held on May 16, 1883, the board formally accepted as a site for the new institution a tract of land twenty acres in extent situated about a mile west of Grand Forks. This offer was made by William Budge, Michael Ohmer and John McKelvey, who also gave bonds for the payment of $10,000 to erect and equip an observatory, thus fulfilling the legal requirement for the issue of the bonds. Three other very excellent sites were offered by citizens of Grand Forks, one located on the present site of Riverside Park, the others in the same vicinity but farther to the north, all on the Red River. These offers, however, do not seem to have been accompanied by any provision for the $10,000 to build and equip an observatory as required by law. The corner-stone of the first structure on the present university grounds, Main Building, was laid October 2, 1883. Grand Master O. S. Gifford, of the Dakota Grand Lodge of Free Masons, presided at the ceremonies; Governor Ordway made a brief address in which he warmly congratulated the citizens of the territory that thus early in their history they were preparing to educate their sons and daughters on their own soil; while the principal address was given by Dr. D. L. Kiehle, superintendent of public instruction of Minnesota.

Equipment and maintenance for the first two years of the new institution were provided by an act approved March 7, 1883. By this act $1,000 was appropriated for apparatus; $600 for fuel, light, and janitor service; $1,000 for incidental expenses, and $400 for improvement of grounds. An annual appropriation not to exceed $5,000 was also made for the salaries of the president and other members of the instructional force. This may serve in some sort as a measure of the progress of the institution during later years.

In the Federal enabling act of February 22, 1889, admitting North Dakota as a state, section 14 sets aside 72 sections, or 46,080 acres, in the new state for university purposes. The fund created by the sale of these lands was to constitute a permanent university fund, the interest alone being available for use. In section 17 of the same act an additional grant of 40,000 acres was granted to the School of Mines. By a provision in the state constitution, section 215, article 19, the location of the School of Mines was fixed at Grand Forks, and since its establishment, in 1880, it has been an inseparable part of the State University.

On September 3, 1884, the trustees met to make arrangements for the opening of the university the following week. There was only one building on the campus and that not fully completed. Living rooms for the faculty, dormitories for the students, a boarding department, class room, a library and museum must all be found in the single building. It was close quarters for so large a family, and not a little friction developed in the course of adjustment to the new conditions. The faculty that met the students on the opening day of the first year, September 8, 1884, consisted of Dr. Wm. M. Blackburn, president and professor of metaphysics; Henry Montgomery, vice president and professor of natural sciences; Webster Merrifield, assistant professor of Greek and Latin, and Mrs. E. H. Scott, preceptress and instructor in mathematics and English. After President Blackburn's single year of service, Professor Montgomery was chosen as acting president, which place he filled for two years. In 1887 Dr. Homer B. Sprague was chosen president, his term extending to March 31, 1891, when he resigned. Webster Merrifield, now professor of Greek and Latin, was chosen acting president for the remainder of the year.

During the first seven years the student attendance had grown from 79 to 151. Three graduating classes, the first in 1889, numbering a total of twenty, had received degrees. The catalogue announcement of 1891 shows that the faculty had been increased by the addition of five professors, H. B. Woodworth, John Macnie, Ludovic Estes, E. J. Babcock and Leon S. Roudiez. William Patten was also a new man, taking the place of Henry Montgomery, resigned. Five additional instructors and a laboratory assistant brought the instructional force to the number of thirteen, a very considerable increase since 1884, both in numbers and in departments represented. By legislative act, approved March 31, 1890, there was formally added to the State University the School of Mines and a military department. Provision for instruction in the latter had been made by the trustees after the first year, but in 1891 Lieut. Leon S. Roudiez, Fifteenth United States Infantry, was regularly detailed for the service. The total appropriation provided for by the act of February 27, 1891, for the biennial period, was $60,700, of which $41,800 was devoted to the payment of salaries. Scandinavian was required to be taught by an act approved March 6, 1891, and G. T. Rygh was appointed by the board of trustees as instructor in these languages.

On June 16, 1887, a severe wind storm entirely demolished the west wing of the main building above the basement, blew down the chimneys, and destroyed the cupola. Professor Montgomery's collections in the museum were almost a total loss. Fortunately, vacation had begun the day before, and only the janitor's family were in the building. At a public meeting, held in Grand Forks the next day to make provision for those in immediate need of aid, resolutions were read voicing a very general sentiment in favor of removing the institution to a site nearer the city. The board of trustees, in view of this feeling and on account of the unexpected burden of expense for repairs thus placed upon them, sent the president of their board, W. N. Roach, to Bismarck to consult Gov. Louis K. Church as to the best manner of dealing with the matter. At a meeting held on June 28th, President Roach reported that the governor did not feel justified in authorizing the removal of the university without legislative sanction, as it would establish a dangerous precedent, but that he would do all in his power to assist in making repairs and would recommend to the next Legislature a special appropriation for that purpose. Upon hearing this report, the board decided to retain the site already selected and to repair Main Building. To meet these expenses a loan was authorized from the local banks not to exceed $10,000. The repairs made considerably altered the original plan, the cupola being omitted and the appearance of both east and west gables much changed.

A dormitory for the young women was also authorized by the regents at this meeting, the funds for which had been provided by an issue of territorial bonds to the amount of $20,000 voted at the session of 1887. This building was first known as "Ladies' Hall," but by vote of the trustees, October 26, 1889, it was changed to "Davis Hall," in memory of a much-loved preceptress, Mrs. Hannah E. Davis, who died at the university, March 24, 1898.

The administration of President Webster Merrifield covers eighteen years, 1891-1909, a period of substantial growth in all lines of university activity. The establishment of a conservatory of music in 1891 brought the student enrollment for 1891-1892 up to 341, and though this increase was not maintained in later years and the conservatory was changed to a department of music, it served to widen the general interest in university work and to attract a new group of patrons from all parts of the state.

The administration, however, was put to a severe test in 1895, when Gov. Roger Allin vetoed the educational appropriations of the current legislative session. The normal schools at Valley City and Mayville had their appropriations of $24,000 and $24,860 reduced, respectively, to $4,600 and $7,760. The Agricultural College received $11,250 out of $19,000. The university appropriation was reduced from $63,000 to $15,980, or merely enough to complete the current college year. Before the veto had been announced a call for a mass meeting in Grand Forks to consider what could be done in the matter was circulated by the university students. The meeting was held on March 19, 1895. The opinion was expressed by several speakers that the citizens of Grand Forks could best show their good will by subscribing to a fund to support the university through the next two years. A committee was appointed to draft a memorial to be presented to Governor Allin. After the veto had been officially announced, a second mass meeting was assembled, April 9th, in pursuance of a call issued by Mayor W. J. Anderson, and a maintenance committee was chosen to solicit funds. This committee, consisting of W. J. Anderson, chairman; M. F. Murphy, secretary; S. S. Titus, treasurer; Sidney Clark, R. B. Griffith, Orange Wright, F. R. Fulton, and S. W. McLaughlin, appointed sub-committees in the counties throughout the state and issued an address which set forth the reasons for asking aid. A few quotations from this address will show the nature of their appeal:

"Shall the University of North Dakota be closed? This is the question which confronts the people of the state. The closing of the university would be a calamity in many ways. It would advertise to the world that North Dakota is either unwilling or unable to maintain for her sons and daughters an institution of higher learning. We believe that the people are both willing and able, and that they will rally to the support of their university. This state is not poor. She has come through the critical depression of the past few years as only few states have—without either crop failures or business disasters. Her debt limit is extremely low. The necessary money could easily be raised by taxation, but for the low tax rate as fixed by the constitution. She encourages immigration to her fertile fields, but she will certainly neutralize all her efforts in that direction by proclaiming herself unable or unwilling to maintain her university which she inherited from territorial days. She has ever been foremost in education. Will she now take her place farthest in the rear? The announcement that North Dakota closes her university will mean irreparable injury to our state in business, population, education and honor. . . . During the last twelve years this state has expended large sums of money and the best energy of many men, and as a result has gathered a learned corps of professors, an intelligent clientage of students, a university reputation and educational momentum such as is an honor to a great state. Close the doors for two years and if they ever open again you cannot regather in ten years your scattered forces." . . .

The board of trustees met the maintenance committee in joint conference on May 7, 1895, and voted to accept the funds raised and to give a formal receipt signed by the president of the board. The total sum raised from private subscriptions was $25,622.24. The donors of the larger part of this sum received certificates from the board of trustees entitling the holders to repayment when legislative appropriation should be made for the purpose. This appropriation has not yet been made. About two-thirds of the sum raised came from two sources: first, the members of the faculty generously gave up 25 per cent of their salaries, a total of $8,250; secondly, the citizens of Grand Forks subscribed $9,130. Most of the remainder was contributed from the counties of Grand Forks, Walsh, Pembina, Burleigh, Nelson, Ramsey, Cavalier, Pierce, Ransom, Cass and Steele, in sums varying in the order of the counties named. From outside the state the sum of $1,287.50 was subscribed. On May 4, 1897, the board of trustees formally received and adopted the report of the maintenance committee covering the expenditure of most of the fund raised, with only a small balance remaining.

This episode in the history of the university was not altogether an unfortunate one, since it served to bind its immediate constituency closer together by mutual sacrifice for the general welfare. This feeling of solidarity was still further strengthened by the refusal of President Merrifield to accept the offer of the presidency of the University of Montana in the spring of 1895. During these two years the faculty and students of the university and the citizens of the state drew closer together than ever before in their mutual effort to maintain this important state institution unimpaired through the most serious crisis in its history. The need of a permanent source of revenue having thus been shown, the friends of the university devised a plan of a mill tax which was enacted into law at a later session of the Legislature. By an act approved April 28, 1899, a fixed revenue for the State University was provided by a two-fifths mill tax. This fraction has been changed by later enactments, but it still serves its original purpose.

By legislative act approved February 26, 1895, the State University was given the duty of making a geological and natural history survey of the state. The professor of geology was named as ex-officio state geologist. Prof. E. J. Babcock had joined the faculty in 1889 as instructor in chemistry and English, and the year following was made professor of chemistry and geology, and became, therefore, in 1895, the state geologist. This position he held until 1901, when the department of geology was separated from the School of Mines. This has resulted in the appearance of some excellent reports, five in number, dealing with the general geological features of the state. Some of the volumes contain special reports on the valuable natural resources of the state, such as lignite coal, clay, cement and gas, the utilization of which will usher in the manufacturing era in the industrial development of our state.

The library of the university during the college year of 1884-5 contained 742 volumes, most of which were a donation from President Blackburn. During the first year of President Sprague's administration it was made a depository for government publications, and increased to 2,000 volumes. For the first few years the secretary of the board of trustees seems to have acted as librarian ex-officio, but in the catalogue of 1888-89, Professor Merrifield, of the department of Greek and Latin, is named as the first librarian. The office of librarian passed later to other members of the faculty, with graduate students as assistants, until, in the year 1901-2, Cora E. Dill held the position as first regular librarian. At this time the library was located in three large rooms on the second floor of Main Building and contained 8,000 volumes. Marion E. Twiss held the position as librarian for the next two years, and was succeeded by George F. Strong. During his term of service a cataloguer was added to the library force and the preparation of the first regular card catalogue was begun in 1907. In 1908 Mr. Strong resigned and Charles H. Compton was chosen as his successor. The library had grown very rapidly in all departments during the four years of Mr. Strong's service, numbering, in 1908, about twenty-five thousand bound volumes and five thousand pamphlets. For the past four years Clarence W. Summer has been librarian. The present library numbers some fifty-nine thousand volumes. The completion of the Carnegie Library, which was occupied in the fall of 1908, gave the university more space for growth and specialization along lines of development much needed by both faculty and students. Among the special collections in the library may be mentioned the Judge Cochrane collection of 2,000 volumes, donated in 1904 by Mrs. Cochrane; the Hill Railway Transportation collection, donated by James J. Hill; and the Scandinavian collection of nearly three thousand volumes, partly donated by the Scandinavian citizens of the state and partly purchased by a special appropriation provided by the board of trustees.

The erection of new buildings and the perfecting of the general university equipment make the administration of President Merrifield a notable one. The present Macnie Hall, the east portion of which was built in 1883, provided a much needed dormitory for the young men. It was erected on an old foundation laid in 1884 for an astronomical observatory. The expense of the foundation was defrayed from the small portion which could be collected of the original $10,000 pledged in 1884 when the university site was chosen. Budge Hall, now the dormitory for the young men, was built in 1899. It was named in honor of William Budge, a trustee of the university for sixteen years and one of the most trusted of President Merrifield's corps of advisers. The catalogue for 1900 announces, for the first time, the School of Mines, the College of Mechanical Engineering, and the College of Law. Two new buildings were erected to accommodate the enlargement of the university work thus provided for, Science Hall in 1901, and the Mechanical Arts building in 1902. The president's house was added the next year. The work of the School of Mines was carried on in Science Hall until 1908, when a building was erected for that special purpose. During the same year the new power house, the gymnasium and the Carnegie Library were added. The original 20-acre campus of 1891 had been increased by purchase and gift to more than a hundred acres. Of this addition Doctor Merrifield, in 1906, gave twenty acres, lying immediately east of the old campus. On this tract are now located the library, the School of Mines and Teachers' College. It may be said here that in 1910 the trustees purchased another 20-acre lot lying east of the last mentioned tract. The university commons was completed in 1911 and stands practically in the center of the campus. These material improvements are manifestations of a deep interest on the part of the state government, and redound to the credit of the university management.

When the trustees of the Methodist College at Wahpeton, acting upon the suggestion of President Merrifield, who since 1901 had advocated the policy, decided to change its location to Grand Forks and sought affiliation with the university, they were received with admirable fairness and liberality. An excellent location was secured by the college, just across the street from the university campus, and the erection of buildings begun in 1906. Provision for exchange of credits on the usual collegiate basis was made in 1905 and the experiment of affiliation launched. The experiment, thus made, has proven a success. It has been watched with interest by educators and it has seemingly added a vital phase to state education, which must necessarily be non-sectarian and, in the eyes of many, non-religious. Wesley College has brought to North Dakota the best of musical talent as well as several leaders in the fields of theological research. Two dormitories, built by the college, have been of service to university students.

Another matter of considerable significance that came through the initiative of President Merrifield was the creating, in 1895, of the State High School Board, with the president of the university an ex-officio member thereof. This brought the institution into close touch with the schools from which it draws its students and for which it prepares teachers. The important questions of high school credits, examinations, inspection, text-books and curriculum now come to a greater or less extent under the direction or control of this board. The annual high school conference, first held in 1901, the interscholastic meet, beginning with 1903, and the state declamation contest, all of which are regularly held at the university in May, each year, have served to identify the interests of the high schools closely with those of the university.

When it became officially known that President Merrifield had decided to sever his connection with the State University, after a quarter of a century of service, the trustees at once began the search for a new head of the institution. Their selection of Dr. Frank LeRond McVey, chairman of the Minnesota Tax Commission, and formerly a member of the faculty of the State University of that state, gave satisfaction to the alumni and citizens of the state, as well as to those more closely connected with the university. President-elect McVey lost no time in making himself acquainted with the special needs and problems of our institution. He visited Bismarck and met many of the members of the Legislature then in session, speaking at a joint meeting of the House and Senate appropriation committees on the needs of the State University and its relation to other educational institutions in the state. He also spoke before a joint session of both houses on the general subject of state taxation. The favorable impression made upon the Legislature at this visit had much to do in securing the generous appropriation of that session. With this introduction to those responsible for the wise expenditure of public funds, the new president assumed the duties of his office in 1909.

The administration of President McVey, has been fully in line with the progressive policy demanded by the changing conditions in the state. The appropriation secured in the legislature of 1909 allowed the erection of two beautiful buildings during the two years following, the Teachers College building and the Commons building. The use of a more durable building material and the adoption of a new style of architecture in these buildings has much improved the appearance of the campus and will add much to the permanence and beauty of future buildings on the larger campus that has been provided for them.

At the end of a year's service in the university and after becoming intimately acquainted with the particular problems of the institution, especially from the point of view of the citizens and taxpayers whom he had met during the course of his many lecture trips through the state, President McVey came to his formal inauguration thoroughly in touch with the constituency of the university. In his inaugural address he expressed his deliberate conclusions, drawn from his long experience as university man and a public officer in Minnesota, and from his more recent contact with the new educational conditions here. He said:

"It is time to recognize the fact that a university is a great latent force that can be utilized in many directions. It ought to be closely related to every department of the state. It should be the medium through which statistics are gathered, information collected, advice given, problems solved, in fact, real part of the state government.

"It is not beyond the truth to say that a university is a beacon light to the people of a commonwealth, pointing out to them, not only where advances are to be made in the realms of commerce and trade, but in the fields of morals, general knowledge, and better living; and vice versa, we may say that there is no clearer indication of the advances a people have made than that set by their university. Once free from political control, and truly of the people in the larger democratic sense, it means that the people of a commonwealth, where such an institution exists, are truly turned toward real progress and the light of the lamp of civilization."

The State University has been able to accomplish much it its position as the leading educational institution in the state, especially in recent years. Its agencies for state service have been very greatly increased during the present administration, and their efficiency and usefulness are coming to be universally recognized. A brief account of some of the more important of these may very properly come at the close of this general sketch.

Service to the state can be rendered by an institution in many ways other than through direct dealing with the student body. It is now almost universally recognized that one of the chief functions of a university is performed through the work of research, investigation, both directly, in the definite scientific discoveries made, and indirectly, through the student thus trained. The University of North Dakota has not been able to throw emphasis upon this phase of the work until recently. Its departments were too broad, and therefore its men attempted to cover too much ground, and its laboratories inadequately equipped. For these reasons and others graduate work had had but little recognition.

Looking in the direction of this larger usefulness, the graduate department was organized during the university year of 1909-10, and every possible encouragement is now given to this work, even to making provision for productive scholarships and fellowships open to general competition. Many of the departments of the university are co-operating in this important phase of work by maintaining graduate seminars where the results of original research are discussed at regular sessions. A considerable number of graduates of the university have successfully completed graduate work at older institutions in the past five years.

The separation of the department of chemistry from the School of Mines in 1910 allowed for a much needed expansion in the work of the department. This increased opportunity thus given for advanced work in chemistry was speedily justified by Dr. Abbott's discovery of a method for the detection of cocaine used in adulteration of snuff, a problem of the utmost importance as affecting public health and one that had so far baffled some of the ablest chemists of the country. Other constructive pieces of work have been done to jutsify the development of the department.

In 1909 the department of physics was reorganized and enlarged. Three men now give their entire time to the work making it possible to add graduate work of a high order. The department has investigated a series of special problems of great commercial interest, such as the specific heats of North Dakota clays and their thermal and electrical conductivities. It has been discovered in the course of the investigation that these clays prove very satisfactory material for the construction of high grade electric resistance furnaces, which have heretofore been purchased abroad. The mechanical department, established at the beginning of the present college year, and under the direction of the department of physics, is proving invaluable to the scientific and engineering interests of the university. In the repair and construction of delicate and costly instruments and apparatus, it has filled a unique place, already contributing to the success of half a score of the important departments of the institution. The work of Dr. A. H. Taylor, head of the department of Physics, in developing a wireless station, has been productive of large results in the field of wireless research and practical application.

The legislature of 1909, in addition to making appropriations for needed buildings on the campus, also provided for two new agencies of great value, the Mining sub-station at Hebron, in the heart of the mining regions of the state, and the Biological station at Devils Lake. The former, the Mining sub-station, has already done a notable work, the result of the year's experiments being the discovery of a practical mode of briquetting the lignite coal of the state, so as to make of it a high grade fuel. The same process also secures a large volume of excellent coal-gas capable of being used either as fuel or light. This discovery alone is worth more to the state than the entire cost of the maintenance and equipment of the university up to the present time, for it places within reach of the manufacturer a cheap and excellent source of power in our extensive coal beds that underlie more than one-third of the state. Dean Babcock and Dr. Taylor of the physics department have pursued still further an important investigation into the heat values of lignite and other coals, to determine how they may best be utilized for power. The work in ceramics, organized in 1910, has a similar problem to solve with reference to the deposits of clay in the state, and much valuable data is being collected bearing on the manufacture of clay products ranging from the finest grades of pottery to drain and sewer pipe. The results that have now been attained in our ceramics field have guaranteed the existence of a clay-working industry in North Dakota, which will ultimately be of great value.

The problem given the Biological station was the study of the animal and vegetable life of the state, that they might be more fully utilized for scientific and commercial purposes. The station is well equipped with a commodious and well-appointed building having laboratory, library, museum and lecture-room conveniences, also with all needed apparatus for the successful prosecution of such work as contemplated. The biological work of the summer session of the university is now regularly done at the station. Although the work is still young, very definite results have already been obtained and much progress made in the investigation of such matters as restocking the lakes of the state with fish, the growing of trees in a prairie state, the preservation and enlargement of bird life and similar activities.

The head of the department of history, as secretary of the State Historical Society, has made a preliminary archaeological survey of the state and begun the collection of a valuable museum at Bismarck. The State Historical Library at the state capitol, which has been built up during the past ten years, is a very complete collection of historical material relating to the Northwest and to Canada. Four volumes of collections have already been issued by the secretary as editor for the Historical Society. In these volumes are to be found many contributions by university students of the Historical Seminar, which has been one of the regular features of the work in the department of history since 1905. In the end these labors will result in the production of an accurate and comprehensive history of the state, which is much needed, especially in the schools.

Among the first suggestions that President McVey made to the faculty upon assuming the duties of office was one looking toward the establishment by the institution of a high grade periodical, scientific and literary in character, that should serve both as a medium of exchange between this institution and others and also a channel through which the members of the instructional force might give to the public some of the results of their investigations, their discoveries and their matured thought. The matter was most carefully considered and resulted in a recommendation to the board of trustees that such action be taken. The trustees acted favorably and the Quarterly Journal was established, the first number bearing the date, October, 1910. The publication has met with much local favor and received a warm welcome from the scholarly world.

The grouping of colleges, departments and courses having a common purpose, a notice of which first appeared in the catalogue issued in 1910, has served to unify and strengthen much that would otherwise be less efficient in a general university plan. The Division of Medicine, which has included the College of Medicine, established in 1905, and the Public Health Laboratory, established in 1907, was increased by the addition of a course for the training of nurses, under an efficient director. Similarly, the two colleges of Mining Engineering and Mechanical and Electrical Engineering, with the Course in Civil Engineering, were first grouped under the Division of Engineering. By a recent action of the present Board of Regents, all the engineering work of the University has been brought under one head. Dean E. J. Babcock will have direction of the College of Engineering. The Division of Education included the Teachers College and the Model High School. Teachers College, established in 1905, is the development of the old normal college which dated from the establishment of the university in 1883, while the Model High School is the old preparatory department retained as a laboratory for Teachers College. In 1911 the name "Teachers College" was changed to "School of Education," in conformity to the re-organization which makes it practically a professional school.

The Law School, established in 1889, is rapidly becoming a very potent factor in the development of the institution, and of the state itself as well. The entrance requirements have been gradually raised and the course of instruction enlarged and enriched until, beginnig with 1909-1910, a full three years professional course, resting upon graduation from a four year high school course, was required for the law degree. Beginning with 1917, two years of college work will be a prerequisite for entrance.

The influence of a body of mature graduates, such as the Law School has been sending out, has been out of all proportion to their numbers; and, in view of the fact that a relatively large portion of the state is still receiving the permanent and stable elements of its population, especially of the professional and business class, the importance of the Law School as a formative influence in our new state can hardly be overestimated.

The student body, likewise, is becoming better organized. The Women's League, organized in 1906, and the Men's Union, in 1910, have already done good service and give promise of great usefulness in the years to come. The Men's Union was last year combined, by student vote, with the Y. M. C. A. The arrangement, though temporary, may become a permanent one ultimately. The new gymnasium, opened in 1908, gives ample accommodation for in-door sports and training for out-door events. In 1910 the trustees purchased the twenty acres on the east side of the campus, and here there has been prepared a permanent athletic field, large enough to accommodate the growing student body for many years to come.

For many years a summer school has been maintained at the university, mainly for the preparation of teachers for the rural schools. In this work the State Superintendent of Public Instruction and the county superintendents of nearby counties co-operated, the university merely furnishing the buildings and general equipment. There seemed, however, to be a growing demand for opportunities to do more advanced work which was met by establishing, in 1910, a university summer session. This extension of university work has been so well received that practically the entire equipment of the university is now available for use throughout the year. The enrollment of the summer session has steadily increased. This is but one of the many things that the present management is doing to make the institution serve the state in every possible way. It is but one indication that we have caught the spirit of service so clearly in evidence throughout the length and breadth of the land.

Another feature of university work that has been pushed very vigorously during the past few years is that of the library. The regular library staff consists of five members with a number of student assistants. The card catalogue titles now number about 100,000, and, in addition to making it as useful as possible to students and members of the faculty on the grounds, every effort is being put forth to make it available to those outside of the university. This is done by the preparation of a list of subjects for debates and accompanying bibliographies for the high schools, by the loaning of such books as are needed for work in correspondence courses or the study of any special subject by local clubs or literary organizations, and by securing for temporary use in the university library by special loans such books as are to be found only in the larger libraries of the country. In this way the university has become a reference library and center of general information along literary lines for a circle of readers as wide as the state.

With the opening of the Public Health Laboratory on July 1, 1907, the university entered upon a new field of public service, that of the prolongation of the human life, the prevention of disease, and the co-operation with all the regular agencies of society in the improvement of public health. So efficient has this work of the university proved to be, that two branch laboratories were established in 1910, at Minot and Bismarck. Among the many problems considered, two of immediate and vital importance to the citizens of the state continue to be the subject of research at the Public Health Laboratory, the purification of the water supply for city populations, and a sanitary method of sewage disposal adapted to climate of extremes, such as is experienced in our state. Important reports covering valuable investigations have already been made and there are still others soon to appear, of equal importance. Other problems of public health have been dealt with effectively by the laboratory. Dr. L. D. Bristol has for the past two years carried on the work which was so well begun by Dr. G. F. Ruediger.

The most important single university exercise of the week is Convocation, which has developed out of the daily morning chapel exercises of early years. Convocation is the weekly gathering of faculty, students and townspeople at the Gymnasium to hear some lecturer of note, or some local speaker, on a topic of general interest. Within the last two years it has become specially significant as furnishing one of the principal means for the transmission to the general university body of the current thought in the larger world outside their immediate circle.

Among all the numerous means for securing a wider scope for university activity, none are more significant than those grouped under the Extension Division, created in 1910. President McVey developed the two most important features of this department as a means of meeting a growing need throughout the state, and also to utilize more effectively our accumulated resources, which were at the disposal of the public whenever the adequate means should be provided for their distribution. Correspondence courses and extension lectures are proving as in other institutions, the best means for reaching the larger university body throughout the state. Much remains to be done in perfecting the machinery of this department. President McVey has helped to pioneer the movement through its initial stages, and, as the lecturer most widely in demand, has disseminated the ideas of university service among all classes and in every part of the state. The division was for two years in charge of Mr. J. J. Pettijohn. Dr. F. C. English was director during the year 1914-15. At the beginning of the school year 1915-16, the division was reorganized and the work placed under two bureaus, the Bureau of Educational Co-operation and the Bureau of Public Information, a secretary being placed in charge of each bureau. The Bureau of Public Information represents a new phase of extension service in North Dakota in its work of publicity and the general spread of public information along various lines. The Bureau of Educational Co-operation carries on the older branches of the extension service, the correspondence Study Courses, and the university lecture and lyceum courses.

No summary of the university's work is in any way complete without a word as to President McVey and his administration. Since he came to the university, there has been a noticeable awakening in all lines of university service. The standards of scholarship have been raised. The Extension Division is but one manifestation of the new conception of the State University, the institution which really stands for state-wide service and which is not simply a "Campus school." For the acceptance of this large idea in education as a working thing in North Dakota, Dr. McVey is very largely responsible. The president has won for the university a very important place in the hearts of North Dakota people. Through a number of the university's achievements, he has increased the interest of educators in the University of North Dakota, which, catching the best inspiration in college circles, has yet found for itself rather unique fields of service.

The State Flag

Adopted by Twelfth Legislative Assembly, Chapter 283, 1911, Session Laws. It was the flag of the Territorial Militia and of the First North Dakota Infantry, carried in 37 engagements in the Philippine Islands in the Spanish-American War, 1898-9, on the Mexican border in the near wear with Mexico in 1916-17, and on the battlefields of France in 1917 in the World War for Liberty.

CHAPTER XXXVII

NORTH DAKOTA VOLUNTEERS

COMPLETE ROSTER OF THE FIRST NORTH DAKOTA INFANTRY, U. S. V., IN THE CAMPAIGN IN THE PHILIPPINE ISLANDS

COMPANY A—FIRST BATTALION

William P. Moffett, Capt., editor, Bismarck, N. D.; S. H. Newcomer, 1st Lieut., printer, Bismarck, N. D.; William J. McLean, 2d Lieut., printer, Bismarck, N. D.; Hugh A. Scott, 1st Sergt., student, Bismarck, N. D.; Lynn W. Sperry, Q. M. Sergt., rancher, Bismarck, N. D.; William A. McHugh, Sergt., printer, Bismarck, N. D.; Joseph A. McGinnis, Sergt., engineer, Mandan, N. D.; Alexander H. Louden, Sergt., farmer, Bathgate, N. D.; Ira A. Correll, Sergt., bookkeeper, Munfordsville, Ky.; Emil Froemmig, Corp., painter, Bismarck, N. D.; Thomas J. Dalton, Corp., cigar-maker, Bismarck, N. D.; Rudolph W. Patzman, Corp., cook, Bismarck, N. D.; Emil F. Wotz, Corp., farmer, Bismarck, N. D.; Fred N. Whittaker, Corp., clerk, Grand Forks, N. D.; Charles H. McDonald, Corp., laborer, Bismarck, N. D.; William J. Pettee, Mus., printer, Bismarck, N. D.; John L. Peterson, Mus., clerk, Bismarck, N. D.; Charles W. Firm, artificer, blacksmith, Centralia, Wash.; John R. Edick, wagoner, rancher, Livona, N. D.; Wallace Stoddard, cook, aeronaut, Hamilton, Ill.

Privates

Andrew Anderson, cook, Bismarck, N. D.; Robert E. Baer, butcher, San Francisco, Cal.; Frank E. Berg, laborer, Bismarck, N. D.; James L. Black, farmer, Sterling, N. D.; Daniel L. Boutillier, farmer, Williamsport, N. D.; Edmund L. Butt, laborer, Billings, Mont.; William A. Crumley, cook, Bismarck, N. D.; William J. Dolan, bookkeeper, Bismarck, N. D.; John P. Drury, boiler-maker, Mandan, N. D.; John J. Durkin, laborer, San Francisco, Cal.; Arthur C. Eggleston, painter, Fargo, N. D.; Willard J. Flynn, laborer, Bismarck, N. D.; Martin Feely, Jr., rancher, Mandan, N. D.; John Galloway, laborer, Sterling, N. D.; Edward C. Grogan, laborer, Livona, N. D.; Charles Glitschka, clerk, Bismarck, N. D.; Gilbert Glitschka, laborer, Hawley, Minn.; John Halverson, laborer, Deerfield, Wis.; Jay L. Hill, lineman, Mandan, N. D.; Frank B. Hungerford, horseshoer, Cooperstown, N. D.; Robert Jager, teamster, Bismarck, N. D.; Mons E. Jerdee, carpenter, Hope, N. D.; Fred E. Kuhnast, carpenter, Fargo, N. D.; Rudolph Koplen, laborer, Neenah, Wis.; Richard M. Longfellow, boiler-maker, Mandan, N. D.; Andrew M. Lobner, laborer, Bismarck, N. D.; Louis Larson, laborer, Oshkosh, Wis.; George W. Moore, cook, Bismarck, N. D.; Frank C. McTavish, laborer, Bismarck, N. D.; Peter Nelson, laborer, Menlo Park, Cal.; Ziba B. Olen, carpenter, Bismarck, N. D.; William C. Olen, farmer, Bismarck, N. D.; John Oleson, laborer, Fargo, N. D.; Thomas Perfect, farmer, Sunbury, Ohio; Thomas R. Peterson, laborer, Washburn, N. D.; August Pommrink, machinist, Bismarck, N. D.; John H. Pauls, carpenter, Green Bay, Wis.; Henry F. Radke, carpenter, Mandan, N. D.; Benjamin F. Rose, carpenter, New Salem, N. D.; Wm. H. Shaw, laborer, Mandan, N. D.; Daniel M. Slattery, clerk, Bismarck, N. D.; Alton E. Stone, farmer, McKenzie, N. D.; Nils T. Syverud, clerk, Fargo, N. D.; Calvin D. Wilson, farmer, Bismarck, N. D.; Mark Yeater, clerk, Williamsport, N. D.; Henry F. Zolk, laborer, Bismarck, N. D.

Discharged

Piatt Dunn, Corp., Bismarck, N. D., student, by orders, August 25, 1899; John P. Boland, Mandan, N. D., farmer, by orders, July 28, 1899; Emil Beegel, Fargo, N. D., farmer, by orders, July 28, 1899; Philip P. Dawson, Bismarck, N. D., laborer, disability, December 14, 1898; Edward Fay, Jr., Mandan, N. D., clerk, disability, November 29, 1898 (36th U. S. V.); Michael Glassley, Manila, P. I., rancher, by orders, July 12, 1899, reenlisted; Oscar A. Hargrave, Fargo, N. D., laborer, by orders, July 28, 1899; Clarence L. Noyes, Valley City, N. D., plasterer, disability, March 2, 1899; James R. Ream, Manila, P. I., laborer, by orders, July 12, 1899, reenlisted; Harry C. Smith, Bismarck, N. D., laborer, by orders, August 16, 1899 (36th U. S. V.); William A. Swett, Manila, P. I., cigar-maker, by orders, July 28, 1899, reenlisted; Louis O. Swett, Bismarck, N. D., laborer, disability, December 24, 1898 (36th U. S. V.); George Wegner, Beloit, Wis., farmer, disability, January 16, 1899.

Transferred

Ed. G. Gorsuch, 1st Sergt., Bismarck, N. D., machinist, 2d Lieut. Company K, July 19, 1899; Daniel R. Davis, Cooperstown, N. D., lumberman, hospital corps, June 22, 1898; Eugene H. Sackett, Fargo, N. D., draughtsman, Company B, December 10, 1898; George F. Sullivan, Mandan, N. D., laborer, hospital corps, June 22, 1898.

Dead

Alfred H. Whittaker, Sergt., died of dysentery at Manila, P. I., April 13, 1899; Adolph Koplen, drowned in Pasig River, P. I., March 28, 1899.

Wounded

Frank E. Berg, wounded in left leg, block house No. 13, August 13, 1898.

For Valiant Service

Michael Glassley, recommended for medal of honor for valiant service; Richard M. Longfellow, recommended for two medals of honor for valiant service.

COMPANY B—FIRST BATTALION

Edw. C. Geary, Jr., clerk, Fargo, N. D.; Joseph A. Slattery, 1st Lieut., student, Wahpeton, N. D.; Robert A. Thompson, 2d Lieut., bookkeeper, Fargo, N. D.; Ernest D. Palmer, 1st Sergt., clerk, Fargo, N. D.; Ralph E. Bradley, Q. M., clerk, Fargo, N. D.; Harold Sorenson, clerk, Fargo, N. D.; William R. Edwards, Sergt., reporter, Fargo, N. D.; Martin J. Hummel, druggist, Fargo, N. D.; Matthias E. Thompson, clerk, Fargo, N. D.; Daniel S. Lewis, clerk, Fargo, N. D.; Albert M. Hathaway, druggist, Fargo, N. D.; Fred E. Hausche, Corp., clerk, Fargo, N. D.; William C. Allen, laborer, Manistee, Mich.; James L. Miller, bookbinder, Fargo, N. D.; John P. Martin, Corp., stenographer, Fargo, N. D.; John W. Gearey, Mus., student, Fargo, N. D.; Otto M. Luther, Mus., clerk, Fargo, N. D.; Joseph A. Schlauser, artificer, carpenter, Fargo, N. D.; Ralph D. McCully, cook, Fargo, N. D.

Privates

Lewis Anderson, laborer, Fargo, N. D.; Ed. M. Anderson, student, Walhalla, N. D.; Frank D. Bowland, laborer, Shenandoah, Iowa; Burdette Cleary, printer, Spokane, Wash.; Jeremiah Cleary, student, Cavalier, N. D.; Harry F. B. Cook, laborer, Fargo, N. D.; Lemuel E. Crooker, laborer, Ortonville, Minn.; Jesse A. Davis, clerk, Fargo, N. D.; James Doyle, railroadman, Honolulu, H. I.; E. H. Elwin, teacher, Fargo, N. D.; Herman F. C. Fick, salesman, Harlen, N. D.; G. Angus Fraser, bookkeeper, Fargo, N. D.; George E. Gilligan, laborer, Argusville, N. D.; George W. Gregory, laborer, Cornell, Ill.; Richard C. Hand, laborer, Baltimore, Md.; Charles A. Hannan, farmer, Fargo, N. D.; Frank E. Hughes, clerk, Cresco, Iowa; Charles Hughes, student, Steele, N. D.; John Jepson, laborer, Montevideo, Minn.; Christian E. Johnson, farmer, Kindred, N. D.; John B. Kinne, student, Fargo, N. D.; Robert Langford, laborer, Fargo, N. D.; Robert S. Lewis, farmer, Fargo, N. D.; Oscar F. Miller, laborer, Fargo, N. D.; John Z. McAuliffe, clerk, Fargo, N. D.; Edw. McBain, farmer, Fargo, N. D.; James McGuigan, student, Fargo, N. D.; Michael Nelson, laborer, Hatton, N. D.; Frank L. Newman, student, Fargo, N. D.; Charles I. Nord, jeweler, Fargo, N. D.; John A. Norman, clerk, Fargo, N. D.; Abraham J. Olsen, clerk, Fargo, N. D.; Irving A. Palmer, printer, Fargo, N. D.; Ole W. Pearson, harnessmaker, Fargo, N. D.; Edw. S. Peterson, stenographer, Fargo, N. D.; Ray Rasmussen, student, Fargo, N. D.; F. A. Regan, bookkeeper, Fargo, N. D.; Gus J. Rehan, farmer, Moorhead, Minn.; Leo J. Ryan, teacher, Fargo, N. D.; Eugene Saket, draughtsman, Fargo, N. D.; Fred G. Sell, student, Fargo, N. D.; Alfred Sherman, laborer, Fargo, N. D.; Harry S. Shurlock, student, Fargo, N. D.; Adolph E. Simensen, laborer, Moorhead, Minn.; Lars Solberg, laborer, Davenport, N. D.; George W. Spradling, soldier, Fargo, N. D.; Lewis Starman, butcher, Fargo, N. D.; Harry Turner, laborer, Fargo, N. D.; John Waarteson, laborer, Fargo, N. D.; Albert B. Wood, stenographer, Fargo, N. D.

Discharged

M. A. Hildreth, 1st Lieut., Fargo, N. D., lawyer, resigned, July 28, 1899; Frank Frederik Keye, Capt., Fargo, N. D., engineer, disability, January 29, 1899;

L. Anders, Corp., Fargo, N. D., machinist, by orders, September 9, 1899; Melvin C. Henry, cook, Fargo, N. D., student, by orders, September 9, 1899; Wm. S. Morrison, wagoner, Fargo, N. D., teamster, by orders, June 28, 1898; Elof Beck, Fargo, N. D., blacksmith, by orders, July 28, 1899; Herbert N. Brown, Fargo, N. D., student, disability, May 22, 1899; Harry R. Cramer, Lisbon, N. D., engineer, disability, April 3, 1899; Albert A. Ellsworth, Fargo, N. D., cook, by orders, July 28, 1899 (36th U. S. V.); Frank W. Lee, Manila, P. I., fireman, by orders, July 9, 1899, reenlisted; John A. McCannel, Fargo, N. D., plumber, disability, December 5, 1898 (in 36th U. S. V.); James W. McIntyre, Manila, P. I., waiter, by orders, July 9, 1899, reenlisted; George Walker, Fargo, N. D., teamster, by orders, July 21, 1899; Harry E. Zimmermann, Fargo, N. D., painter, disability, April 17, 1899.

Transferred

Fred L. Conklin, 1st Lieut., Jamestown, N. D., clerk, Company H, October 22, 1898; John Russater, 1st Sergt., Fargo, N. D., clerk, Company I, July 14, 1899; C. S. Foster, Q. M. Sergt., Fargo, N. D., clerk, 9th U. S. Inf., April 28, 1899; Gilbert C. Grafton, Corp., Fargo, N. D., mail carrier, Regt. Sergt., Maj., February 24, 1899; Henry R. Berry, Fargo, N. D., painter, chief trumpeter, May 25, 1898; Howard B. Huntley, Fargo, N. D., student, hospital corps, June 21, 1898; Gail P. Shepard, Fargo, N. D., student, hospital corps, June 21, 1898.

Dead

Joseph Wurzer, died at San Francisco of consumption, September 7, 1899.

Wounded

Fred E. Hausche, wounded in right lung near Novaliches, P. I., April 22, 1899.

For Valiant Service

Frank L. Anders, Corp., recommended for medal of honor for valiant service; John B. Kinne, recommended for medal of honor for valiant service; James McIntyre, recommended for medal of honor for valiant service.

COMPANY C—SECOND BATTALION

John H. Johnson, deputy county treasurer, Grafton, N. D.; Cornelius J. Foley, railroadman, Grafton, N. D.; Thomas H. Thoralson, 2d Lieut., real estate, Grafton, N. D.; John M. McLean, 1st Sergt., laborer, Grafton, N. D.; Ralph Crowl, Q. M. Sergt., printer, Grafton, N. D.; Ole Manderud, Sergt., miller, Grafton, N. D.; Charles C. Cairncross, merchant, Grafton, N. D.; Christ Ehri, Sergt., laborer, Grafton, N. D.; Thomas A. Swiggum, Sergt., clerk, Grafton, N. D.; Nels J. Nelson, Corp., laborer, Grafton, N. D.; Gert Heggen, Corp., laborer, Grafton, N. D.; George H. Kerr, Corp., laborer, Grafton, N. D.; Henry H. Junkins, Corp., carpenter, Drayton, N. D.; Sylvester Lowe, Corp., student, Forest River, N. D.; Bernard Roener, Corp., laborer, Grafton, N. D.; Andrew S. Quist, Mus., clerk, Grafton, N. D.; Joseph Z. Venne, Mus., insurance agent, Bathgate, N. D.; Thomas R. Cook, artificer, engineer, Grafton, N. D.; Thomas

Sletteland, wagoner, laborer, Grafton, N. D.; Thomas Pettinger, cook, laborer, Grafton, N. D.

Privates

Samuel Arthur, teacher, Minto, N. D.; Albert Barrows, laborer, St. Andrews, N. D.; Henry Barnard, carpenter, Grafton, N. D.; Percy D. Ball, laborer, Delano, Minn.; Thomas J. Bleckeberg, farmer, Grafton, N. D.; Joseph Bleskheck, farmer, Grafton, N. D.; Ole O. Berg, laborer, Grafton, N. D.; Alfred B. Collette, clerk, Grafton, N. D.; Joseph A. Cook, clerk, Minto, N. D.; Austin O. De Frate, clerk, Alexandria, Minn.; George Durban, decorator, Bemidji, Minn.; Walter D. Ebbighausen, clerk, Grafton, N. D.; Arthur G. Elston, laborer, Grafton, N. D.; Wilbrod Faille, laborer, Grafton, N. D.; John Gaut, liveryman, Grafton, N. D.; Robert Givens, farmer, Grafton, N. D.; John J. Green, liveryman, Forest River, N. D.; Charles J. Hanson, farmer, Nash, N. D.; Charles Hein, laborer, Grafton, N. D.; Gustav C. Hinueber, laborer, Grafton, N. D.; David B. Ingersoll, teamster, Grafton, N. D.; Eddie Johnson, laborer, Grafton, N. D.; Fred Johnson, farmer, Grafton, N. D.; Oscar Johnson, laborer, Grafton, N. D.; Garrett Keefe, farmer, Grafton, N. D.; William T. Kerr, lather, Grafton, N. D.; Joseph A. Lobsinger, printer, Grafton, N. D.; Peter Lundstedt, laborer, Grafton, N. D.; Martin Mohn, laborer, Grafton, N. D.; Lorin C. Nelson, teacher, Grafton, N. D.; Oscar E. Parkins, clerk, Auburn, N. D.; Edward E. Prentice, student, Grafton, N. D.; Simeon G. Quist, printer, Grafton, N. D.; August P. Rash, farmer, Grafton, N. D.; Martin A. Rosen, shoemaker, Grafton, N. D.; Axel E. Romm, laborer, Grafton, N. D.; Fred W. Ridgway, farmer, Medford, N. D.; Asa Schell, clerk, Portland, Ind.; Ernest Stuart, laborer, Grafton, N. D.; Levin E. Thompson, laborer, Grafton, N. D.; John H. Thompson, cook, Grafton, N. D.; Andrew H. Tweeten, farmer, Grafton, N. D.; William R. Truelock, laborer, Grafton, N. D.; Forest D. Warren, farmer, Forest River, N. D.; Charles J. Weagant, farmer, Grafton, N. D.; Charles H. Wentz, printer, Grafton, N. D.; Harry T. Young, printer, Eagle Bend, Minn.

Discharged

Leif Swennumson, Park River, N. D., clerk, by orders, April 21, 1899; Oswald D. Foley, Grafton, N. D., teacher, by orders, August 16, 1899; Samuel T. Olson, Sergt., Grafton, N. D., engineer, by orders, January 22, 1899; Alex T. McKinnon, Sergt., San Francisco, Cal., clerk, by orders, August 25, 1899; Edward J. Husband, Manila, P. I., farmer, by orders, July 29, 1899; William Longsine, Manila, P. I., laborer, by orders, July 29, 1899; Nathan Myhere, Drayton, N. D., carpenter, by orders, August 25, 1899; Hans Pederson, Auburn, N. D., blacksmith, by orders, April 21, 1899.

Transferred

Donald McIntyre, Grafton, N. D., druggist, hospital corps, June 21, 1898; Harris Shumway, Lambert, Minn., civil engineer, hospital corps, June 16, 1899.

Dead

John Buckley, killed at Fort Malate, August 16, 1898; Frank Upton, died at Manila, P. I., of dysentery, March 1, 1899; Isidore Driscoll, Corp., killed in action at Paete, P. I., April 12, 1899; P. W. Tompkins, wagoner, killed in action at Paete, P. I., April 12, 1899; Alfred C. Almen, killed in action at Paete, P. I., April 12, 1899; Wm. G. Lamb, killed in action at Paete, P. I., April 12, 1899.

Wounded

Wm. R. Truelock, wounded in left knee at San Ildefonso, P. I., May 12, 1899.

For Valiant Service

Thos. Sletteland, wagoner, recommended for medal of honor for valiant service.

COMPANY D—SECOND BATTALION

Adelbert W. Cogswell, Capt., druggist, Devils Lake, N. D.; Thomas Lonnevik, 1st Lieut., teacher, Devils Lake, N. D.; William A. Mickle, 2d Lieut., hotelman, Grafton, N. D.; Robert E. Taylor, 1st Sergt., farmer, Devils Lake, N. D.; George T. Salter, Q. M. Sergt., clerk, Crary, N. D.; Warren White, Sergt., carpenter, Devils Lake, N. D.; Joseph H. Parsons, Sergt., fireman, Devils Lake, N. D.; Albert P. Babin, Sergt., clerk, Towner, N. D.; John G. Thompson, Sergt., clerk, Devils Lake, N. D.; Will F. Logan, Corp., blacksmith, Devils Lake, N. D.; Maurice O. Roose, Corp., cook, Devils Lake, N. D.; Robert T. Elsberry, Corp., farmer, Devils Lake, N. D.; Robert J. Wilson, Corp., farmer, Devils Lake, N. D.; Stonewall Atkinson, Jr., Corp., farmer, Cando, N. D.; Nels. H. Peterson, Corp., clerk, Devils Lake, N. D.; Charles J. B. Turner, clerk, Devils Lake, N. D.; Frederick J. Gannon, laborer, Devils Lake, N. D.; Luther H. Bratton, Mus., printer, Rugby, N. D.; Fred Becker, artificer, laborer, Devils Lake, N. D.; Christopher C. Kinsey, wagoner, carpenter, Devils Lake, N. D.

Privates

Charles Anderson, laborer, Devils Lake, N. D.; Edw. Ellwardt, laborer, Devils Lake, N. D.; Bert Albin, glassblower, Crary, N. D.; Patrick F. Armstrong, butcher, Devils Lake, N. D.; David E. Beauchamp, waiter, Devils Lake, N. D.; Charles E. Brown, farmer, Bottineau, N. D.; Robert O. Burgess, printer, Devils Lake, N. D.; Bert M. Bartlett, railroadman, Devils Lake, N. D.; Windsor L. Boyce, farmer, Fargo, N. D.; Robert R. Donaldson, horseman, Devils Lake, N. D.; George W. Dragoo, carpenter, Hasel, Ind.; Arthur C. Dumochel, clerk, Devils Lake, N. D.; William J. Elliott, plasterer, Salineville, Ohio; Frank E. Elliott, student, Devils Lake, N. D.; Fred Eymann, farmer, Rugby, N. D.; Albert C. Erickson, laborer, San Francisco, Cal.; Lawrence J. Greene, laborer, Grand Harbor, N. D.; Hastings H. Hamilton, law student, Grand Forks, N. D.; William Huseby, mason, Devils Lake, N. D.; Thomas Hurley, laborer, Devils Lake, N. D.; George L. Jenks, clerk, Devils Lake, N. D.; Alfred P. Jones, baker, Montreal, Canada; Orval O. Judd, farmer, Devils Lake, N. D.; George A. Kellogg, farmer, Leesburg, Ind.; Zeno Le Duc, farmer, Crary, N. D.; Harry A. Lindsmith, farmer, Owatonna, Minn.; Orlow B. Maybee, laborer, Devils Lake, N. D.; Charles R. McGraw, laborer, Grand Forks, N. D.; Elijah Morgan, painter, Grand Forks, N. D.; John C. Millar, laborer, Devils Lake, N. D.; William R. Olmstead, blacksmith, Toledo, Ohio; Andrew Prinzing, farmer, Devils Lake, N. D.; Perry H. Purdy, teamster, Devils Lake, N. D.; Lloyd Ryall, teacher, Michigan City, N. D.; Clayton J. Scott, laborer, Devils Lake, N. D.; Peter G. Timboe, clerk, Grand Harbor, N. D.; Delbert N. Tanner, laborer, Devils Lake, N. D.; John H. Travis, farmer, Bottineau, N. D.; George Trace, laborer, Devils Lake, N. D.; Tor. Torsen, carpenter, Grand Harbor, N. D.; Albert Tromp, farmer, Showano, N. D.; Roy N. Whitney, fireman, Devils Lake, N. D.; William H. Wilson, farmer, Bottineau, N. D.; Clarence E. Wilson, farmer, Bottineau, N. D.; Martin Wagness, laborer, Devils Lake, N. D.; John I. Wampler, farmer, Devils Lake, N. D.; Albert M. Young, printer, Towner, N. D.

Discharged

Henry Redmond, 1st Lieut., Devils Lake, N. D., machinist, resigned, March 18, 1899; Phil H. Snortt, 1st Sergt., Devils Lake, N. D., publisher, by orders, July 29, 1899; Charles H. Eager, Sergt., Manila, P. I., painter, by orders, July 29, 1899; Alfred E. Scott, Corp., Devils Lake, N. D., laborer, by orders, July 29, 1899; W. J. Prendergast, Corp., Crary, N. D., farmer, by orders, May 21, 1899 (in 36th U. S. V.); Wesley M. Baneford, Manila, P. I., painter, by orders, July 14, 1899, reenlisted; Ambrose M. Healey, Manila, P. I., laborer, by orders, July 29, 1899; James Hathaway, Devils Lake, N. D., cowboy, by orders, August 1, 1899; Frank D. Hoadley, Grand Harbor, N. D., farmer, by orders, July 3, 1899 (in 36th U. S. V.); Godfried Jensen, Manila, P. I., farmer, by orders, July 19, 1899, reenlisted; Fred Longdue, Devils Lake, N. D., teamster, by orders, August 1, 1899 (in 34th U. S. V.); Philip J. O'Neill, Jackson, Cal., miner, by orders, July 19, 1899, reenlisted; John Swanson, Manila, P. I., laborer, by orders, July 21, 1899; Henry Nannier, Devils Lake, N. D., cook, by orders, September 7, 1899; Hugo Zuillig, Devils Lake, N. D., farmer, by orders, June 16, 1899.

Transferred

Fred E. Smith, Q. M. Sergt., Bartlett, N. D., clerk, Company K; R. W. Anderson, Crary, N. D., butcher, hospital corps; Guy R. Wheaton, Lowell, Mich., fireman, hospital corps, June 21, 1898.

Dead

John C. Byron, Corp., died of wound, May 24, 1899.

Wounded

Elijah Morgan, wounded April 1, 1899.

For Valiant Service

Godfried Jensen, recommended for medal of honor for valiant service at burning bridge over Tabou River, May 16, 1899.

COMPANY G—FIRST BATTALION

Ingvald A. Berg, Capt., banker, Grand Forks, N. D.; W. H. Pray, 1st Lieut., farmer, Valley City, N. D.; O. Thomas Mattison, 2d Lieut., painter, Jamestown,

N. D.; Frank S. Henry, 1st Sergt., druggist, Valley City, N. D.; David W. Bailey, Q. M. Sergt., carpenter, Valley City, N. D.; William H. Lock, Q. M. Sergt., potter, Valley City, N. D.; Charles W. Nelson, Q. M. Sergt., farmer, Valley City, N. D.; Ross G. Wills, Q. M. Sergt., musician, Valley City, N. D.; Delbert Cross, Corp., farmer, Valley City, N. D.; E. Ray Fairbanks, Corp., farmer, Valley City, N. D.; Fred C. King, Corp., farmer, Valley City, N. D.; August C. Huhn, Corp., operator, Valley City, N. D.; Ernest G. Wanner, Corp., real estate agent, Valley City, N. D.; Charles P. Davis, Corp., cook, Valley City, N. D.; Louis P. Clark, Mus., student, Valley City, N. D.; Frank T. Sikes, Mus., storekeeper, Valley City, N. D.; Neal Christianson, artificer, barber, Valley City, N. D.; Alonzo B. Ellis, wagoner, farmer, Valley City, N. D.; George H. Shannon, cook, cook, San Francisco, Cal.

Privates

William N. Allen, electrician, Valley City, N. D.; Oscar W. Amundson, student, Valley City, N. D.; Charles M. Amo, laborer, Minneapolis, Minn.; Arthur L. Barton, farmer, Valley City, N. D.; Elof Benson, tailor, Valley City, N. D.; Andrew Bertramsen, printer, Albert Lea, Minn.; Herbert E. Chapman, farmer, Tower City, N. D.; Thomas T. Chave, bookkeeper, San Francisco, Cal.; Walter E. Church, farmer, Sanborn, N. D.; John T. B. Davis, merchant, Valley City, N. D.; Arthur L. Davine, painter, Wyandotte, Mich.; Arthur Goodwin, farmer, Valley City, N. D.; Theo. S. Henry, student, Valley City, N. D.; Ferd Heusperger, farmer, Valley City, N. D.; Matthias Hetland, blacksmith, Valley City, N. D.; Richard H. Hitsman, laborer, Valley City, N. D.; Omunde Jacobson, laborer, Valley City, N. D.; Charles E. Jaten, student, Valley City, N. D.; Christian A. Kvalness, clerk, Valley City, N. D.; Henry W. Lawrence, farmer, Montgomery, Minn.; Thomas C. Lillethun, farmer, Fingal, N. D.; Lawrence H. Luttrell, farmer, Valley City, N. D.; James A. Melrose, cook, Atlanta, Ill.; John O. Moe, barber, Sanborn, N. D.; John Moran, railroadman, Valley City, N. D.; Patrick McEntee, farmer, Montgomery, Minn.; Henry T. Murphy, student, Sanborn, N. D.; John W. Murphy, clerk, Sanborn, N. D.; Anton Nelson, laborer, Brookfield, Minn.; Frank Nestaval, printer, Montgomery, Minn.; Charles Olstad, blacksmith, Valley City, N. D.; Hans Pederson, teacher, Valley City, N. D.; Roy A. Phillips, farmer, Valley City, N. D.; Christ F. Pinkert, cook, New Rockford, N. D.; William F. Priest, student, Valley City, N. D.; George N. Rasmussen, laborer, Valley City, N. D.; Sven Risa, farmer, Salida, Colo.; Jerome B. Shoemaker, laborer, Tower City, N. D.; Perry F. Strock, student, Valley City, N. D.; Theo. O. Torbenson, blacksmith, Vining, Minn.; John B. Totz, fireman, Valley City, N. D.; Shon H. Warren, printer, Galena, Ill.; John A. Welsh, clerk, Valley City, N. D.; Knute Westerheim, farmer, Valley City, N. D.; Edw. Westerland, watchmaker, Valley City, N. D.

Discharged

Charles F. Mudgett, Capt., Valley City, N. D., bookkeepr, resigned, June 2, 1899; Frank H. Walker, Sergt., Valley City, N. D., farmer, disability, April 9, 1899 (36th U. S. V.); William H. Coughlin, Corp., Manila, P. I., clerk, by orders, July 12, 1899, reenlisted; William Greb, Mus., Valley City, N. D., farmer, by orders, July 29, 1899 (36th U. S. V.); Bert Bertramsen, artificer, Manila, P. I., tinner, by orders, July 15, 1899, reenlisted; C. A. Anderson, Valley City, N. D., carpenter, by orders, March 13, 1899 (36th U. S. V.); William H. Arnold, Manila, P. I., teacher, by orders, July 15, 1899, reenlisted; Steve E. Bush, Valley City, N. D., student, by orders, May 20, 1899; Eddie Christopherson, Fingal, N. D., farmer, by orders, April 26, 1899; Lora E. Conrad, Manila, P. I., laborer, by orders, July 30, 1899; William M. Greenwood, Manila, P. I., engineer, by orders, July 16, 1899; Sterling A. Galt, Manila, P. I., printer, by orders, July 13, 1899; Francis D. Hutchison, Manila, P. I., laborer, by orders, July 30, 1899; David A. Jones, Clark City, N. D., farmer, by orders, April 26, 1899; Albert E. McKay, Valley City, N. D., student, by orders, August 15, 1899; Albinos McDonald, Valley City, N. D., farmer, by orders, August 31, 1899; Matthias Pederson, Valley City, N. D., blacksmith, disability, March 7, 1899; Ole G. Sandstad, Kenyon, Minn., student, by orders, August 9, 1899.

Transferred

C. W. Getchell, 1st Lieut., Valley City, N. D., bookkeeper, regimental Q. M.; Joseph A. Slattery, 1st Lieut., Wahpeton, N. D., student, Company B; Ernest E. Ellis, Sergt., Valley City, N. D., clerk, Sergt. Maj. Bat., July 9, 1899; Winfield H. Coleman, Art., electrician, hospital corps, September 27, 1898; William B. Fleming, Valley City, N. D., nurse, hospital corps; Thomas F. McLaren, Sanborn, N. D., clerk, hospital corps; C. L. Vallandigham, Valley City, N. D., printer, Reg. Q. M. Sergt., July 10, 1899.

Dead

John A. Ewing, died of fever at Manila, P. I., March 2, 1899.

Wounded

Charles Olstad, wounded at Titabau in right leg May 1, 1899; William H. Locke, Sergt., wounded by accident in right foot, February 2, 1899.

For Valiant Service

Charles P. Davis, Corp., recommended for medal of honor for valiant service; Sterling A. Galt, Priv., recommended for medal of honor for valiant service.

COMPANY H—FIRST BATTALION

Porter W. Eddy, Capt., farmer, Jamestown, N. D.; Harrison J. Gruschius, 1st Lieut., lumberman, Dickinson, N. D.; Dorman Baldwin, Jr., 2d Lieut., clerk, Jamestown, N. D.; John C. Eddy, 1st Sergt., clerk, Jamestown, N. D.; William M. Hotchkiss, Q. M. Sergt., contractor, Jamestown, N. D.; William Gleason, Jr., Sergt., tailor, Jamestown, N. D.; David E. Bigelow, Sergt., clerk, Jamestown, N. D.; Larry B. McLain, Sergt., clerk, Jamestown, N. D.; John E.

McElroy, Sergt., clerk, Jamestown, N. D.; James Hanson, Corp., railroadman, Jamestown, N. D.; Herman P. Wolf, Corp., clerk, Jamestown, N. D.; Fred T. Braatrup, Corp., brakeman, Jamestown, N. D.; Albert F. Collins, Corp., farmer, Eldridge, N. D.; Lawrence A. Williams, Corp., farmer, Jamestown, N. D.; John P. Sonnen, Corp., butcher, Casselton, N. D.; Frederick D. Cunningham, cook, student, Grand Rapids, N. D.; John J. Chamberlin, Mus., farmer, Oakes, N. D.; Ira O. Bleecher, Mus., engineer, Kindred, N. D.; Howard E. Fell, artificer, carpenter, Jamestown, N. D.; Willis H. Downes, wagoner, farmer, Jamestown, N. D.

Privates

Albert F. Abraham, farmer. Princeton, Minn.; Herman Abraham, laborer, Princeton, Minn.; Severt B. Berglund, carpenter, Fargo, N. D.; Arthur Bennett, carpenter, Jamestown, N. D.; Joseph Boyer, laborer, Aurora, Ill.; Burnie Briggs, photographer, Jamestown, N. D.; Ralph E. Callahan, clerk, Norfolk, Neb.; John C. Charles, merchant, Tower City, N. D.; Robert M. Charles, engineer, Tower City, N. D.; Charles Cooper, farmer, Jamestown, N. D.; Alexander Clubb, farmer, Jamestown, N. D.; John H. Cadieux, switchman, Oakland, Cal.; Woodbury J. Davis, fireman, Jamestown, N. D.; Ralph A. Froenike, student, Jamestown, N. D.; Frank M. Glenn, farmer, New Rockford, N. D.; Frank R. Graham, laborer, New Rockford, N. D.; Charles Horsman, cook, Wichita, Kan.; Ernest E. Haner, laborer, Jamestown, N. D.; Arthur Hughes, laborer, New Rockford, N. D.; John L. Johnson, laborer, Crystal Springs, N. D.; Edward E. Kurtz, clerk, Jamestown, N. D.; Thomas Maher, laborer, Jamestown, N. D.; Morris R. Mastin, engineer, Jamestown, N. D.; Bunard J. Meehan, switchman, Jamestown, N. D.; James McElwaine, cook, Jamestown, N. D.; Louis C. Oefstedahl, farmer, Cheyenne, N. D.; Edward E. Pope, cook, Jamestown, N. D.; David Phillips, Jr., plowmaker, Racine, Wis.; Edwin J. Paunell, farmer, Jamestown, N. D.; Edward M. Portz, laborer, Jamestown, N. D.; Grant E. Riley, carpenter, Saginaw, Mich.; Harry F. Roberts, machinist, Jamestown, N. D.; John M. Reed, engineer, Jamestown, N. D.; Frank F. Ross, machinist, Langdon, N. D.; William P. Severin, laborer, Jamestown, N. D.; John E. Smith, carpenter, Jamestown, N. D.; Harry J. Stoops, clerk, Jamestown, N. D.; John Thompson, engineer, Jamestown, N. D.; Arthur Tyte, miner, Jamestown, N. D.; James M. Williams, engineer, Carrington, N. D.; Harry E. Williams, railroadman, Jamestown, N. D.; Fred W. Wolf, clerk, Jamestown, N. D.; Dana M. Wright, farmer, Jamestown, N. D.; Perle F. Wright, flour packer, Jamestown, N. D.; Lloyd A. Whiteman, farmer, New Rockford, N. D.

Discharged

Fred L. Conklin, 1st Lieut., Bismarck, N. D., clerk, disability, December 12, 1898; Daniel H. Wallace, Corp., Bismarck, N. D., student, disability, December 7, 1898; William H. Miller, Corp., Manila, P. I., farmer, by orders, July 13, 1899, reenlisted 36th U. S. V.; Delbert Buzzell, Mus., Jamestown, N. D., printer, disability, March 10, 1899; George K. Brown, wagoner, Manila, P. I., teamster, by orders, July 24, 1899, reenlisted 36th U. S. V.; Thomas A. Green, Jamestown, N. D., laborer, disability, March 10, 1899; James Hamilton, Manila, P. I., clerk, by orders, July 13, 1899, reenlisted 36th U. S. V.; Clarence J. Allen, Turen, N. Y. teacher, disability, March 10, 1899; Lewis Kramer, Manila, P. I., boilermaker, by orders, July 24, 1899, reenlisted 36th U. S. V.; Benjamin K. Russell, Corp., Manila, P. I., student, by orders, July 28, 1899; Charles Peterson, Manila, P. I., laborer, by orders, July 24, 1899, reenlisted 36th U. S. V.; Robert E. Mauly, Sergt., Manila, P. I., lawyer, by orders, July 28, 1899; August Shinke, Manila, P. I., laborer, by orders, July 24, 1899, reenlisted 36th U. S. V.

Transferred

Herbert G. Proctor, 1st Lieut., Jamestown, N. D., clerk, Company B, October 22, 1898; Olin T. Mattison, 1st Sergt., Jamestown, N. D., printer, Company G, July 30, 1899; John E. Mattison, Sergt., Jamestown, N. D., clerk, Reg. Sergt.-Maj., May 23, 1899; Harry W. Donevan, Princeton, Minn., clerk, Reg. Hosp. steward, September 1, 1899; Ernest E. Kelly, Carrington, N. D., Tele. operator, signal corps, June 16, 1899; Christ F. Pinkert, Valley City, N. D., watchmaker, Company G, December 10, 1899; Hazelton D. Smith, Jamestown, N. D., laborer, hospital corps, June 22, 1898.

Dead

John H. Killian, killed in action near Morong, P. I., June 9, 1899; Frank M. Harden, died of dysentery at Manila, P. I., November 21, 1898; John Morgan, died of dysentery at Manila, P. I., October 26, 1898.

Wounded

Dorman Baldwin, Jr., 2d Lieut., wounded in right leg at Kings Bluff, P. I., April 1, 1899; James Hanson, Corp., wounded in left wrist at Morong, P. I., June 15, 1899; Herman P. Wolf, Corp., wounded in right foot at Kings Bluff, P. I., April 11, 1899; Harry W. Donovan, wounded in left arm at Polo, P. I., March 26, 1899; Edward J. Pannell, wounded in left side at Paete, P. I., April 12, 1899.

COMPANY I—SECOND BATTALION

William R. Purdon, Capt., merchant, Wahpeton, N. D.; William B. Aspinwall, 1st Lieut., printer, Wahpeton, N. D.; John Pussater, 2d Lieut., clerk, Fargo, N. D.; Arthur E. McKean, 1st Sergt., clerk, Wahpeton, N. D.; William D. Purdon, Q. M. Sergt., clerk, Wahpeton, N. D.; Charles W. Lander, Sergt., student, Wahpeton, N. D.; Orlin M. Jones, Sergt., student, Rochester, Minn.; Mark I. Forkner, Sergt., printer, Wahpeton, N. D.; Walter O. Lippitt, Sergt., student, Wahpeton, N. D.; William H. Auman, Jr., Corp., fireman, Breckenridge, Minn.; Herbert J. Brand, Corp., student, Farmington, N. D.; Harry R. Kramer, Corp., student, Wahpeton, N. D.; Fred W. Whitcomb, Corp., fireman, Breckenridge, Minn.; James E. Griffin, Corp., farmer, San Francisco, Cal.; Nels J. Bothne, Corp., farmer, Abercrombie, N. D.; Fergus A. Mullen, artificer, carpenter, Campbell, Minn.; Louis E. Anderson, wagoner, farmer, Clitheral, N. D.; Emil J. Pepke, cook, cook, Grafton, N. D.

Privates

Charles J. Adams, farmer, Wahpeton, N. D.; Charles H. Anderson, farmer, Wheaton, Minn.; Jacob Anfinson, laborer, Wahpeton, N. D.; Felix Blanchett, cook, St. Paul, Minn.; Otto Boehler, farmer, Wahpeton, N. D.; Canute Brandrup, farmer, Breckenridge, Minn.; William H. Brose, farmer, Abercrombie, N. D.; James E. Carney, fireman, East Springfield, Pa.; Frank A. Connolly, farmer, Wahpeton, N. D.; Fred J. Debbert, farmer, Belle Plaine, Minn.; John J. Gabriel, blacksmith, Wahpeton, N. D.; George Gebro, brakeman, Wahpeton, N. D.; Peter O. Gunness, student, Abercrombie, N. D.; Fred G. Harbourn, farmer, Shepard, Ill.; Benjamin Holter, laborer, Moreton, N. D.; Thomas Hudec, farmer, San Francisco, Cal.; Bernard Klein, barber, Northfield, Minn.; Berg Linderson, farmer, Wahpeton, N. D.; Olaf Leaf, bricklayer, Wahpeton, N. D.; Clarence A. Mitchell, merchant, Wahpeton, N. D.; William J. Mulled, laborer, Campbell, Minn.; James Murphy, laborer, Wahpeton, N. D.; Henry P. Musfeldt, laborer, Wahpeton, N. D.; James D. Murphy, butcher, Wahpeton, N. D.; Thomas Mangan, laborer, Chicago, Ill.; Edward McCullough, hotelkeeper, Minneapolis, Minn.; Anton Nelson, horseman, Fargo, N. D.; John P. Olson, druggist, Wahpeton, N. D.; Oscar J. Olson, clerk, San Francisco, Cal.; Alpheus H. Palmer, laborer, San Francisco, Cal.; Otto Paulson, laundryman, Wahpeton, N. D.; James Pruitt, farmer, Wahpeton, N. D.; James M. Quinn, farmer, Browns Valley, Minn.; Julius Schendel, teacher, Campbell, Minn.; Fred H. Schendel, printer, Campbell, Minn.; Alexander Scott, laborer, Wahpeton, N. D.; Thomas Stafne, laborer, Prairie Farm, Wis.; Will L. Schoonover, engineer, Wahpeton, N. D.; Otto O. Swank, clerk, Wahpeton, N. D.; George J. Seidlinger, harnessmaker, Brandon, Minn.; Eddie St. John, laborer, Chippewa Falls, Wis.; Charles Senkle, printer, Wahpeton, N. D.; Gus Sweeney, farmer, Wahpeton, N. D.; James Snodgrass, farmer, Wahpeton, N. D.; Thomas Schoot, railroadman, Breckenridge, Minn.; Chesley T. Talley, laborer, Wahpeton, N. D.; Leslie R. Waterman, shoemaker, Wahpeton, N. D.; Byron Woodberry, student, Wahpeton, N. D.

Discharged

John F. Faytle, Sergt., Wahpeton, N. D., teacher, by orders, September 1, 1899; Edward C. Little, Mus., Breckenridge, Minn., well digger, by orders, July 31, 1899 (36th U. S. V.); Frank Trupka, Mus., Manila, P. I., laborer, by orders, July 13, 1899, reenlisted; Fred C. Mullen, wagoner, Breckenridge, Minn., fireman, by orders, January 2, 1899; John F. Desmond, Wahpeton, N. D., woodworker, by orders, July 29, 1899; John A. Diamond, Wahpeton, N. D., baker, by orders, September 1, 1899; Herbert Files, Fergus Falls, Minn., mason, by orders, September 1, 1899; George E. Flemming, Wahpeton, N. D., laborer, by orders, July 29, 1899; Will J. Gillet, Manila, P. I., machinist, by orders, July 29, 1899, reenlisted 37th U. S. V.; Herman Harms, Wahpeton, N. D., farmer, by orders, July 29, 1899; Peter Happstadius, Wahpeton, N. D., farmer, by orders, July 29, 1899; John C. Leathert, Breckenridge, Minn., railroadman, by orders, August 17, 1899; Walter Schmeltekoff, Manila, P. I., waiter, by orders, July 29, 1899, reenlisted 14th U. S. If.; Henry J. Ready, Wahpeton, N. D., clerk, by orders, September 1, 1899; John Souhrada, Manila, P. I., laborer, by orders, July 29, 1899, reenlisted 36th U. S. V.

Transferred

Joseph E. Slattery, 2d Lieut., Wahpeton, N. D., student, Company B, July 12, 1899; Fred Gellerman, Sergt., Wahpeton, N. D., operator, signal corps, June 15, 1898; Walter E. Patten, Corp., Wahpeton, N. D., druggist, hospital corps, May 16, 1898; Loren Campbell, Corp., Wahpeton, N. D., clerk, hospital corps, June 22, 1898; Erie A. Hamilton, Breckenridge, Minn., clerk, hospital corps, January 25, 1898.

Dead

George J. Schueller, killed in action near Paete, P. I., April 12, 1899.

Wounded

Herbert L. Files, wounded in chest at Paete, P. I., April 12, 1899; Emil J. Pepke, cook, wounded in chest at Tabac, P. I., April 29, 1899.

For Valiant Service

John F. Desmond, recommended for medal of honor for valiant service.

COMPANY K—SECOND BATTALION

George Auld, Capt., registrar of deeds, Dickinson, N. D.; Ambrose J. Osborn, 1st Lieut., photographer, Dickinson, N. D.; Edw. G. Gorsuch, 2d Lieut., machinist, Bismarck, N. D.; W. Fulton Burnett, 1st Sergt., teacher, Dickinson, N. D.; Oscar M. Skeem, Q. M. Sergt., blacksmith, Dickinson, N. D.; Alfred W. Freeman, Sergt., druggist, Dickinson, N. D.; Samuel Andrews, Sergt., printer, Dickinson, N. D.; Storey E. Auld, Sergt., cowboy, Dickinson, N. D.; Louis F. Hanlin, Sergt., clerk, Dickinson, N. D.; Chas. H. De Foe, Corp., carpenter, Dickinson, N. D.; Jos. A. Reilly, Corp., farmer, Lehigh, N. D.; Llewellyn Morse, Corp., teamster, Dickinson, N. D.; Clark H. Coburn, Corp., farmer, Richardton, N. D.; Morton R. Bonney, Corp., farmer, Antelope, N. D.; Fred Kuntz, Corp., farmer, Richardton, N. D.; Fred C. Anderson, Lance Corp., mechanic, Tracy, Minn.; Hans Kristick, Mus., printer, Dickinson, N. D.; Willard J. Myers, Mus., tanner, Antelope, N. D.; Nicholas Rothschild, artificer, blacksmith, Dickinson, N. D.; George T. Dollard, wagoner, stockman, Belfield, N. D.; Charles Hanover, cook, carpenter, Mandan, N. D.

Privates

Antone Adelman, farmer, Gladstone, N. D.; Charles D. Butterwick, photographer, Milton, N. D.; Albert L. Boring, farmer, Greenburg, Ind.; George E. Carpenter, cowboy, Middleton, N. Y.; Ernest B. Cornell, farmer, Gladstone, N. D.; Timothy B. Curtis, laborer, Arlington, Sibley County, Minn.; Parley R.

Colburn, farmer, Richardton, N. D.; John C. Chaloner, liveryman, Dickinson, N. D.; Harry A. Edison, clerk, Bakersfield, Cal.; Frank A. Earley, farmer, Richardton, N. D.; John Fisher, clerk, Terspol, Emmons County, N. D.; Peter L. Frogner, laborer, Atwater, Minn.; Edw. E. Gibbs, teamster, Dickinson, N. D.; Claude E. Groff, cowboy, Dickinson, N. D.; Henry Hanson, farmer, Kindred, N. D.; August W. Hensel, farmer, Tappen, N. D.; William A. Hill, bookkeeper, La Crosse, Wis.; William Heiser, porter, Dickinson, N. D.; Michael Hughes, laborer, Dickinson, N. D.; U. Schyler Hinkel, liveryman, Colon, Mich.; John E. Jones, woodman, Michigan City, N. D.; John Kuntz, farmer, Dickinson, N. D.; Arthur J. Loomis, cowboy, Antelope, N. D.; Anthony W. Link, engineer, Gladstone, N. D.; Adam S. Mischell, storekeeper, Hanover, Kan.; Patrick Murphy, miner, Hancock, Mich.; Carl A. Madsen, farmer, Hunter, Mich.; Siegwart Nelson, farmer, Lake Preston, S. D.; William E. Phillips, laborer, Augusta, Wis.; Hollis Paden, laborer, Dickinson, N. D.; Frederick J. Rohrer, laborer, San Francisco, Cal.; George M. Russell, laborer, Kindred, N. D.; Paul H. Riech, farmer, Middleton, Conn.; Christopher B. Ricc, farmer, Fargo, N. D.; Clarence E. Stoddard, farmer, Housatonic, Mass.; Thomas M. Sweeney, miner, Nyhart, Mont.; Herman J. Steriner, Jr., farmer, Winona, Emmons County, N. D.; Rudolf V. Steiner, miller, Fargo, N. D.; Samuel Smiley, railroadman, Dickinson, N. D.; Gilbert Ulberg, laborer, Hatton, N. D.; Elmer W. Williams, printer, Chicago, Ill.; Frank W. Wilson, laborer, Detroit, Mich.

Discharged

Hans Garseg, Sergt., Dickinson, N. D., miner, by orders, July 29, 1899; Edward L. Ham, Corp., Manila, P. I., wheat buyer, by orders, July 12, 1899, reenlisted 36th U. S. V.; William F. Thomas, Corp., Manila, P. I., acrobat, by orders, July 31, 1899, reenlisted; James O. Gorrie, wagoner, Manila, P. I., bookkeeper, by orders, July 13, 1899, reenlisted; Ticko Bowman, Manila, P. I., laborer, by orders, July 14, 1899, reenlisted; Nathan E. Chase, Dickinson, N. D., farmer, by orders, September 2, 1899, reenlisted; Stephen A. Doherty, Dickinson, N. D., herder, by orders, July 29, 1899, reenlisted; William Fitzgerald, Dickinson, N. D., laborer, by orders, August 13, 1899; Raymond Groll, Manila, P. I., farmer, by orders, July 13, 1899, reenlisted 36th U. S. V.; James K. Hall, Dickinson, N. D., cowboy, disability, December 14, 1898; Patrick Hussey, Manila, P. I., laborer, by orders, July 21, 1899, reenlisted 36th U. S. V.; Harry W. Klinefelter, Dickinson, N. D., drayman, by orders, August 16, 1899; Joseph Marmonn, Richardton, N. D., farmer, disability, March 7, 1899; Dennis Mahoney, Manila, P. I., stone cutter, by orders, July 21, 1899, reenlisted 36th U. S. V.; John C. Smith, Manila, P. I., laborer, by orders, July 21, 1899, reenlisted 36th U. S. V.; John J. Smith, Manila, P. I., molder, by orders, July 21, 1899, reenlisted 36th U. S. V.; Frank Summerfield, Manila, P. I., clerk, by orders, July 13, 1899, reenlisted 36th U. S. V.; George G. Vest, Manila, P. I., clerk, by orders, July 13, 1899, reenlisted 36th U. S. V.

Transferred

Harrison J. Gruschius, 2d Lieut., Dickinson, N. D., lumberman, Company H, January 8, 1899; Fred E. Smith, 2d Lieut., Manila, P. I., soldier, 36th U. S. V., July 26, 1899; Roy H. Berry, Dickinson, N. D., student, hospital corps, June 21, 1898; James A. Williams, Dickinson, N. D., cook, hospital corps, June 21, 1898; Alfred L. Ledin, Dickinson, N. D., student, hospital corps, January 23, 1899.

Dead

Harrold H. Davis, Corp., died at sea on U. S. Transport Grant, August 19, 1899; Ole T. Lakken, died at Manila, P. I., of pneumonia, November 21, 1898; William R. Howell, died at sea of consumption, February 13, 1899.

Wounded

August W. Hensel, wounded in leg at Paete, April 12, 1899.

For Valiant Service

Patrick Hussey, Frank W. Summerfield, recommended for two medals of honor for valiant service, one at burning bridge over Tabon River, May 16, 1899, and one for bravery at San Miguel, May 13, 1899; William F. Thomas, Corp., Thomas M. Sweeney, recommended for medal of honor for valiant service at burning bridge over Tabon River, May 16, 1899.

MUSTER IN ROLL OF FIRST NORTH DAKOTA INFANTRY

Before Leaving for Service on the Border in 1916

Field, Staff and Band

John H. Fraine, colonel; Gilbert C. Grafton, lieutenant colonel; Frank S. Henry, major; Dana Wright, major; James M. Hanley, major; Daniel S. Lewis, captain, Regt. Coms'y; Theodore S. Henry, captain, Regt. Adjt.; La Roy Baird, 1st Lieut., Bv. Adjt.; John W. Murphy, 1st Lieut., Bv. Adjt.; Hastings H. Hamilton, 1st Lieut., Bv. Adjt.; Ivan V. Metzger, 2d Lieut., Bv. Q. M. & C.; John S. Grane, 2d Lieut., Bv. Q. M. & C.; Warren A. Stickley, R. Sergt. Maj.; Joseph L. Dwire, Reg. Coms'y Sergt.; John W. Rock, R. Q. M. Sergt.; James A. Soules, Color Sergt.; Oscar B. Treumann, Bv. Sergt. Maj.; Duane Y. Sarles, Bv. Sergt. Maj.; Amos E. Freeman, Bv. Sergt. Maj.; Myron T. Davis, Prin. Mus.; Joseph L. Allison, Drum Maj.; Sergts., Harry S. Moore, Cuthbert S. Moore, William M. Jones, Paul D. Harris; Corps., Max M. Moore, Archie Galbreath, Minnard Halverson, Fred A. Oliver, Walter E. Jones, James E. Jones; Walter E. Wodrich, cook. Privates: Robert H. Carlson, Glen H. Cole, Delbert L. Diehl, Edward H. Gewalt, Harold H. Hannan, Vincent K. Harris, Earl H. Hausken, John J. Hegreves, Patrick J. Hennessey, Richard Hockridge, Herbert C. Kiff, Edward Layman, Vernon Muir, Earl Nelson, John C. Wagner, Harold Webster.

COMPANY A

Alfred B. Welch, Capt.; Fred D. Graham, 1st Lieut.; Warl L. Preston, 2d Lieut.; William C. Paulson, 1st Sergt.; Donald McPhee, Quartermaster Sergt.; Ferris Cordner, Sergt.; Adolph Scharnowske, Sergt.; Emil Bressler, Sergt.; William Savage, Sergt.; Charles S. Jones, Sergt.; Thomas Costello, Corp.; John

Maurer, Corp.; Eugene Morris, Corp.; George Rasche, Corp.; Arthur Serres, Corp.; Frank H. Howell, Corp.; Marion C. Hauser, Corp.

Privates

Theodore D. B. Alberghtson, Art. Albrecht, Edward J. Allensworth, Jay Anderson, Henry Amberson, Julius Amberson, Walter Austin, Clarence Bainbridge, Lyman A. Baker, Peter H. Baker, Morris Bergstrom, Herman Brocupp, Arthur Brown, Jim Brown, Howard E. Callahan, William N. Carrick, Benedict Cloud, Walter Coil, Loyd A. Couch, Harry Cunq, Joe Deibele, Joe P. Delmore, Joe Derringer, Martin Derringer, Norman Flow, David R. Fort, Norman Fredrick, Joe Freeburger, David L. Friedmann, Ambrose Gallagher, George Goldader, William Haas, John Habeck, Leston Hays, Vinton P. Heaton, Lawrence Hull, Ole D. Jensen, Alfred Kasper, Walter Knott, Dennis Laris, Andrew Mathews, Leonard Matthews, Ray H. Matthews, John Miley, Carl C. Moore, Thomas B. Mousso, George Nelson, Frederick Olson, John H. Ozmond, Alak Petterson, Owen Posner, Austin Reed, Arthur Roberts, Ernest Ryti, George Smith, Robert B. Sours, Charles Spiro, Walter Stopfer, Arthur Tews, Carl O. Ulness, Henry M. Volquardsen, Alex. Whitefeather, Horace E. Williams, William Wise.

COMPANY B

Gustav A. M. Anderson, Capt.; Ernest S. Hill, 1st Lieut.; Reginald F. E. Colley, 2d Lieut.; Earle W. South, 1st Sergt.; Edward S. Peterson, Q. M. Sergt.; Hjalmer O. Thorson, Sergt.; Eugene S. Logan, Sergt.; George F. Ludvigson, Sergt.; Elvin Saul, Sergt.; Jack D. Thompson, Corp.; Lewis M. Thune, Corp.; Ernest O. Fjelstad, Corp.; Carl J. Anderson, Corp.; Archibald W. Melchior, Corp.; Orville A. Bolser, cook; Henry E. Seebold, cook; Bristol F. Gram, Jr., musician; Denzil C. McKinsey, musician.

Privates

William L. Abare, Carl E. Anderson, Glennon R. Anderson, George E. Beckstrom, Robert H. M. Canning, Oliver Conn, Ward M. Davenport, Robert F. Ellison, Arthur V. Flaten, Chester R. Fouts, Harry Footer, Ray A. Fretz, Ercyl B. Hamilton, Roswell J. Hanson, James B. Hardy, Francis G. Heapes, Ralph E. Hollister, John G. Hubertz, Joseph E. Johnson, Clarence Kelson, William J. Lamb, Gustav F. Lawrence, Ben Lewis, Harry Lewis, Chas. W. B. McDermott, Walker McDonough, Donald McGregor, Norman B. McLean, Thomas J. McNeese, Harold J. MacCarthy, Harold S. Mayer, Fred A. Miller, Charles W. Nelson, Elford Nelson, Aleck J. Nemzek, Jr., John O'Laughlin, George W. Olson, Verner Olson, John E. Peterson, Percy M. Pettit, William A. Rasmusson, Henry Retzer, Edwin M. Sauer, William Scott, Cecil W. Smith, Leon C. South, Ray G. South, John C. Speare, Joseph Steiner, Leonard T. Sullivan, Fred C. Thompson, Harry Thompson, Niel Tierney, Ralph Torson, Martin A. Wahlberg, Bud Welch, Richard R. Wells.

COMPANY C

Manville H. Sprague, Capt.; John G. Ofstedahl, 1st Lieut.; William K. Treumann, 2d Lieut.; John Brien, 1st Sergt.; Henry Moe, Q. M. Sergt.; Myron

Omlie, Sergt.; Clay Anderson, Sergt.; John R. Fraine, Sergt.; Arthur Pederson, Sergt.; Le Roy E. McGraw, Sergt.; Grant A. McDonald, Corp.; John Mohn, Corp.; Elmer Berg, Corp.; Walter A. Kirkland, cook; Juel Thor, cook; Eddie Stuart, artificer; Fritz E. Anderson, musician; Ingvar Arman, musician.

Privates

Claude W. Aymond, Roy M. Berrian, Louis E. Bolton, Edward Bouvette, Luzerne D. Braudt, William C. Bryce, Adrien Charpentier, Max J. Cheslik, Joe Collette, Archie A. Craig, Carl Dahl, Russell E. Davis, Philip Eastman, Lowell B. Edin, William Foster, Reuben G. Giles, Joe Givens, George Gjerswold, Magnus Gunderson, Carl C. Hankey, Lee R. Hiel, William C. Hogg, Leonard Hoisveen, Arthur G. Homme, James J. Horgan, Myrton Hull, Ralph W. Jackson, Joseph Johnson, Murray Johnson, William Johnson, Charles H. Kirkland, James N. La Fromboise, Fred E. Lakdal, Louis Letourneau, George F. Lewis, Joseph McCaman, Allan W. McLean, Earl Maher, James H. Moher, John L. Merchlevicg, John J. Mollers, Mark Mollers, Casmer Monteski, Fred T. Nelson, Stewart B. Newell, Henry R. Newgard, George H. Owen, Clayton D. Pannsbaker, Mansfield A. Quist, Edward Radke, Fred Radke, Jr., Ragnar Reistadbekken, Fred Roth, Wilhelm F. Rude, Austin R. Rye, David H. Smith, Fredrik Smith-Peterson, George P. Swansen, Swan Swansen, Wallace M. Swenson, Dewey Swiggum, Gus W. Thompson, Levin Thompson, William G. Tollock, Harry Non Gorres, Harry A. Walters, Frank C. Willson.

COMPANY D

Frank E. Wheelon, Capt.; Otto F. Gross, 1st Lieut.; Albert E. Whitney, 2d Lieut.; Stanton A. Hayes, 1st Sergt.; Leonard T. Larson, Q. M. Sergt.; Percival B. T. Robbins, Sergt.; Carl G. Lautz, Sergt.; John Leslie, Sergt.; Leo. S. Kigin, Sergt.; Walter Hall, Sergt.; Luther S. McGahan, Corp.; Hugh E. Taylor, Corp.; Frank J. Falvey, Corp.; Hildor Ellison, Corp.; Edward Hoffman, Corp.; Paul B. Murphy, Corp.; William P. Makee, Corp.; Joseph B. Richards, Corp.; George S. Sawaya, Corp.; Robert S. Stevens, Corp.; Robert Odum, artificer; William Marsh, musician; Benjamin D. Fleet, musician.

Privates

Simon P. Accola, Thomas T. Adcock, Bert. Albin, Lee Andrews, Melvin A. Avelsgaard, Harrison Bailey, John D. Bailey, Charles Baker, Herman E. Bartz, Harry Bates, Donald W. Beers, Irl J. Beleal, William Berg, Victor Bergstrom, Herman H. Brietzke, Forrest W. Brooks, Arthur J. Brown, Peter A. Brown, Joseph M. Buchko, William G. Carroll, Robert E. Casey, Ralph H. Clarke, Elmer Clauson, William H. Day, Fay C. DeWitt, Carl J. Dokken, Leslie Dunn, Weston J. Du Vall, Arthur M. Eide, Mike Fillip, Alex. Florea, Harry T. Foley, Raymond Gilette, Patrick Gilmore, Hans Gimble, Guy D. Givens, Aksel Haase, Olov Halsebo, Orville Halsey, John W. Hanson, Joseph Hilts, Paul N. Hofocker, Paul D. Howell, Charles H. Jeffries, Roy F. Jewett, Alfred Johnson, George R. Johnson, Herman Johnson, Michael Kearns, Ralph H. Kohn, Carl M. Kuhl,

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George Lamorie, Harry Laridaen, Charles Larson, Roy LaShelle, Harold L. Lloyd, Maxwell Love, Barney J. McCann, Henry J. McClain, Jesse J. McClain, John J. McDonald, Clarence J. Madsen, Jacob Ma[illegible], Alfred H. Miller, Frank Miller, Mike Miller, Vernon C. Miller, Joseph N. Morrow, Clarence Moulton, Walter Nichols, Mike Nowak, Oscar Nyberg, William H. Oesch, Fred Pentz, Louis Prokoff, John R. Quackenbush, Allen P. Racine, Harry L. Remington, Buel J. Riblett, Leo. Rudd, Harry Schlaberg, Joseph Selberg, Lee E. Smith, Verne Soderquist, Fred Strandberg, Smith Taylor, Albert Tiller, Fred Von Duzee, George Wartchow, William Waydeman, Bert Wells, Jake Wesa, Ray W. Wilkes, Arthur J. Wilson, Asad E. Wilson, Oscar Wold, John T. Zebriskie.

COMPANY E

Emery W. Jeffrey, 1st Lieut.; William W. Jeffrey, 2d Lieut.; George G. Harvey, 1st Sergt.; Otto Wannagat, Q. M. Sergt.; James L. Thiessen, Sergt.; Will M. Woolridge, Sergt.; Edward O. Anderson, Sergt.; Carl H. Erickson, Sergt.; Cyril D. Page, Sergt.; Herbert Metzger, Corp.; George F. Wilkinson, Corp.; Elmer O. Halvorsen, Corp.; Lester A. Jeffrey, Corp.; Harry J. Halverson, Corp.; Ben J. Craven, Corp.; Christian E. Boe, Cook; Ernest Nehring, Cook.

Privates

Jesse V. Alexander, Robert D. Barnfather, Clarence A. Bell, Charles O. Bradley, Malcolm G. Brawley, Arthur E. Brooks, Phillip J. Carpentier, Wilfred J. Carpentier, William J. Chambers, Walter F. Charnholm, Mike F. Clark, Thomas Clausen, Edward B. Craven, Clarence E. Evans, Frank W. Evans, Harry P. Evans, Stephen W. Field, Arthur C. Gardner, Leslie C. Grover, Casper E. Gunderson, Christie Hahm, Logan M. Hardaway, Frank S. Harvey, Roy M. Hendricks, Reginald R. Holland, John W. Holloway, Cecil S. Jackson, Percy R. Jaynes, Peter D. Johnson, Ira L. Jaynes, Leo B. Kingston, Holver K. Koppang, Nicholas J. Lahr, Benjamin Leifson, William B. Law, Howard F. McDonald, Robert E. McWilliams, Dewey E. Marston, John C. Matthews, Luther J. Monson, Clarence G. Personius, Hughie A. Puffer, Thomas B. Randolph, Gerhard A. Roed, Hjalmer Rud, John H. Ruetten, Littleo Shanks, Henry J. Schutt, Axel Selseth, Gerard P. Sheldall, John M. Shen, Shaker A. Shikany, Ellis R. Slater, Charles E. Smith, Lester S. Taylor, John T. Thompson, Walter L. Warner, Claire A. Wilder.

COMPANY F

Guttorm I. Solum, Capt.; Vincent J. Melarvie, 1st Lieut.; Robert Wilson, 2d Lieut.; Gilbert W. Cass, 1st Sergt.; Martin A. Mossbrucker, Q. M. Sergt.; Ralph G. Hausen, Sergt.; Clarence L. Hassell, Sergt.; Peter A. Duchene, Sergt.; Custer A. Lang, Sergt.; John K. Kennelly, Corp.; Paul W. Bastine, Corp.; Glen A. Gray, Corp.; John A. Shaw, Corp.; Edgar Newgaard, Corp.; Praley Hausen, Corp.; Archie H. Fink, Corp.; Charles M. Russell, cook; Dave J. Welch, cook; Harry J. Brown, artificer; Theodore W. Hillius, musician.

Privates

William C. Andrews, Christ Aroando, George Bailey, Fred M. Barnes, James Blazek, Jesse M. Castle, Russell Cyrus, Fred W. Dieter, Frank E. Emard, Francis Fanning, Tom Firof, William V. Fox, William Gehrke, Walter H. Hecker, Robert J. Huff, Ralph Hunter, Harold J. Jones, George Kisch, Peter Klick, John R. Krogland, Victor Lindor, Arthur A. Loy, Raymond McAdams, Thomas F. McCarthy, Albert E. Morris, James Mullen, Jacob Myers, Irwin C. Nichols, Joseph O. Olson, Oscar Olson, Richard Peters, Orva G. Pruyn, Frank Rambur, Hugo O. Renden, Erwin E. Ricker, Olin Roth, David E. Rutland, George A. J. Sandvig, Henry J. Schafer, Steve Shvaro, William B. Skjod, Earl Slater, Paul A. R. Slipka, Bert O. Smith, Richard Snyder, Nathaniel Starck, Robert M. Thurston, John A. Timmerman, Raymond Tipper, Bernard Toelke, Leigh Wade, Maurice Wasem.

COMPANY G

David S. Ritchie, Capt.; Milton H. Mason, 1st Lieut.; Fay Ross, 2d Lieut. Harry N. Olsby, 1st Sergt.; Edwin C. Baumey, Q. M. Sergt.; Harley McCready, Sergt.; Neal Tracy, Sergt.; Clarence V. Carlson, Sergt.; John T. Brush, Sergt.; Ross G. Wills, Sergt.; Ronald McDonald, Corp.; Thomas J. Brady, Corp.; Harold Jobe, Corp.; Ole Brandvold, Corp.; Giles Personius, Corp.; Frank S. Booth, Corp.; Lon Ryan, cook; Edward L. Anderson, artificer; Hurley Codding, musician; Paul Hart, musician.

Privates

Clarence Allen, Charles R. Auacker, William A. Andreason, Arnold E. Aselson, John Bartholomew, Lee M. Bell, Helmer Berger, Roy C. Booth, Robert Bridges, Chester E. Brown, Everett Chambard, Harry E. Davidson, Hugh F. Dedrick, Walter B. Grannes, Tom Groden, Jens Hausen, James E. Huffman, Olaf Hervig, Albert Higginbotham, Andrew E. Highum, Rollin E. Jaberg, Melvin J. Johnson, Thomas Jones, Ralph F. Kernkamp, Fred Kunnell, John O. Larson, John Leondorf, Walter J. Linthicum, Douglas Martin, Harry Mingle, Archie Mix, John F. Morse, Roy Nelson, Arne Olstad, Bjorn J. Osborne, Conrad Pederson, Peder Pederson, George Peterson, Thomas H. Peterson, Floyd Penn, Adry H. Pfusch, William J. Shaw, Howard M. Sollin, Raymond Stillings, Bernard O. Swanson, Walter Taylor, Alvin G. Swanson, John B. Thochlie, Joe S. Underwood, Junius Wall, Harry Weihemuller, Bert W. Weston, Robert Wilson, Earl Younkin.

COMPANY H

James D. Gray, Capt.; Calvin H. Smith, 1st Lieut.; Alex Steinbach, 2d Lieut.; Alfonso J. Steinbach, 1st Sergt.; Roy F. Nowlin, Q. M. Sergt.; Thos. Oliver, Sergt.; Lewis B. Allen, Sergt.; Alexander G. Woychik, Sergt.; Bert Hurst, Sergt.; John F. Nolet, Sergt.; Fredrick R. Kellogg, Corp.; Alvin Frickert, Corp.; Vernon B. Zacher, Corp.; Dewey W. Hagen, Corp.; Robert E. Dinehart, Corp.;

Henry Feickert, Corp.; John L. Teves, cook; Clifford Gallipo, cook; Marion E. Steinbach, artificer; Harry J. Hornby, musician.

Privates

Earl Bensch, Kyle Beach, Raymond Bensch, Carl J. Bergquist, Philip T. Blewett, Charles E. Brand, Frank Briggs, William C. Broguton, Dorman Brown, Sumner G. Brown, Patrick Conlon, Ray E. Cornwall, Jess F. Crabtree, James C. Cusator, Lance Devericks, Richard T. Dozier, William Farley, William Fidder, Max Giese, Richard E. Giese, Allan D. Gunderson, Robert K. Hall, Frank Hamilton, Thomas W. Hatten, John Johnson, Willard Johnston, Francis Judkins, John Kubis, Parker LaMoure, Hugh Lee, Fred S. Lieber, Bert E. Lyon, Arthur McCann, Virgel McCombs, Frank Newberry, Andrew Olson, Arthur E. Parkinson, Jr., Harvey H. Pederson, Walter T. Peterson, Alexander Plank, Reuben Poindexter, Jr., Ben Ramsey, Arthur H. Ratzlaff, Joseph A. Reis, Roland E. Rhoads, Howard Richcreek, Lyle Roberts, Fred M. Romer, Nick Romer, Charles W. Schaller, John V. Seroy, William Severin, Sanford A. Shain, Jr., Herbert Siebold, Fred Smith, Jr., James Smith, Alex. Soransen, Jacob Von Guyten, Ambrose Walsh, Jr., John A. Washburn, Arthur P. Wheeler, Alfred M. Williamson, Walter F. Willard, Alixia Willette.

COMPANY I

Thomas J. Thomsen, Capt.; Carl M. Ulsaker, 1st Lieut.; Leo H. Dominick, 2d Lieut.; Ward W. Wages, 1st Sergt.; Otto M. Oien, Q. M. Sergt.; Louis Anderson, Sergt.; Arthur W. McLean, Sergt.; Wallace E. Morden, Sergt.; Joseph L. Vachon, Sergt.; Harry R. Clough, Sergt.; Wallace W. Millard, Corp.; George J. Fischer, Corp.; Fred Freitag, Corp.; Werner C. Goerner, Corp.; Adolph B. Veit, Corp.; Marvin L. Ryan, Corp.; Wilkie R. Simard, cook; Walter A. Dunn, cook; Arnold C. Forbes, musician; Lawrence J. Voelker, musician.

Privates

Chester M. Alm, Albert J. Bader, Frank R. Bennett, Frank G. Bernard, David A. Bezenek, John J. De Fea, Thomas L. De Lancy, Edward A. Demoray, George Demoray, George Dvorak, John M. Early, Frank J. Enderson, Isadore J. Engelhard, Harold G. Fleckenstein, George E. Fleming, William M. Friederichs, Edward Funfar, Roy D. Garrett, Herbert Goettleman, Joseph Grenrath, Melbert C. Green, Linton M. Harris, Oliver T. Hess, Clifford D. Homan, Robert A. Hughes, Kinsey Hutchens, Roy A. Hutchens, Lewis C. Jensen, John C. Jorgenson, Philip Kolegraff, Robert W. Kramer, Henry A. Krebs, Oscar Krueger, Nels L. Larson, Charles Leschke, Sam M. Lock, Louis P. Margenton, Severin Mikkelson, Albert G. Miller, William A. Miller, Rogert P. Moore, Bernard J. Mundt, Leo. Nebraske, Milo S. Parks, Nickhola Passas, Erwin L. Persons, Ira A. Piper, Frank Podraza, John Pulaski, Charles Radtke, Howard E. Rice, Joseph E. Rickert, Harry E. Ross, Edward F. Russell, Lyal St. John, Anthony Schiller, Paul E. Sewrey, Carl W. Sherley, John P. Sinclair, Curtis G. Solsvig, Leslie J. Stephens, Bert A. Story, Louis Stuart, William W. Thaw, Francis Traylor, William

A. Tyra, Henry Ulrich, Claude C. Vaught, George E. Wagner, William H. Weimar, William Wilson, William H. Wolfe.

COMPANY K

Clarence N. Barker, Capt.; John F. D. Wiley, 1st Lieut.; Albert Behonek, 2d Lieut.; Chris J. Kunz, 1st Sergt.; Bert Waddell, Q. M. Sergt.; Leon Stuck, Sergt.; Frank L. Flynn, Sergt.; Robert L. Hill, Sergt.; James L. Monson, Sergt.; Sidney L. Morrison, Corp.; Vincent T. Mikantsch, Corp.; Stanley Grubb, Corp.; Paul H. Erb, Corp.; Robert C. Greenwood, Corp.; Archie C. Gibson, Corp.; William J. Banish, Corp.; Odin H. Anderson, cook; John S. Hinds, cook; Alfred C. Palmer, artificer; Thomas J. Lenhardt, musician; Dewey Wiley, musician.

Privates

Ernest S. Angliss, Mathias J. Beres, Earl B. Brassington, Alvin Breda, Julius Breda, Walter W. Brenner, George D. Brodie, Joseph F. Brodie, Fred W. Bertelsen, George H. Butler, Robert L. Coulter, Robert M. Dickson, Henry M. Douglas, Cyril L. Drury, Gunnar E. Forsen, Robert W. Gilliam, Otis Griffin, Wilber W. Haire, Edwin F. Hastings, Louie F. Hatzenbuchler, Harold A. Hill, Joseph Hodson, Glen D. Hollenbeck, Charley R. Hubbard, Frank P. Kessel, Joseph P. Koch, Harold D. Lillibridge, William E. Littlehales, Henry J. McLaughlin, Jerry G. Mahoney, Lyall B. Merry, Adelbert Morey, John Morganthelar, Harold W. Parker, Marvin G. Reed, Frank Richards, Quintin Roberts, Fred Russell, Louis W. Schmidt, Valentine Schwan, Creatis D. Shira, Lowell W. Shira, Alfred Skinner, Judson Stanton, Earl H. Vanstrum, Ernest Vessey, Joseph Vrana, Lee Waddell, Foster White.

COMPANY L

Barney C. Boyd, Capt.; Berto A. Olson, 1st Lieut.; Gunder M. Larson, 2d Lieut.; Norviel G. Nyhus, 1st Sergt.; Jorgen L. Talmo, Q. M. Sergt.; Chester W. Forre, Sergt.; Fred G. Gutnecht, Sergt.; Johnnie Torgerson, Sergt.; Allen G. Gilbertson, Sergt.; Arthur Serumgard, Sergt.; Henry J. Harstad, Corp.; Paul Scott, Corp.; Hans A. Gilbertson, cook; Jerome Baglien, cook; Sam Allen, artificer; Robert T. Coutts, musician; John M. McGee, musician.

Privates

Harry A. Anderson, Casper Arneson, Peter Arneson, John A. Becker, Ingvald Bergan, Leon H. Brown, Nick Chester, William C. Chrispen, John Christensen, Leslie Christie, George J. Constans, Ralph E. Curtis, Harold W. DeLude, Henry L. Ellingsom, Elling G. Evenson, August B. Falk, Dewey V. Fink, Dewey V. Fisher, George Freson, Leonard D. Gilbert, Spencer R. Gilbert, Maurice Girard, Arthur Hagen, Thomas J. Hall, Albert B. Hankey, Knude A. Hansen, Oscar L. Hanson, Henry W. Harris, Clarence Holland, Iver L. Iverson, Adolph E. Kamplin, Arthur R. Kelly, Derice G. Kennedy, Peter Kleven, Bernard J. Kohan, Peder M. Kristiansen, Carl E. Larson, Edward R. La Berge, Ovid L. La Berge, Sam M. Lodmell, Mike Ludeen, Francis McDonald, Vernon L. McHalfie, Lawrence J. McNamee, Elmer N. Martin, Herbert Moerke, Malcolm Morrow, Archie E. Munter, John P. Murphy, Carl P. Myren, Roy C. Neathery, William F. O'Brien, Paul Pecher, Norman W. Peterson, William W. Peterson, Nels N. Renden, Jr., Harry E. Russell, George P. Sand, Oscar Sandvig, Andrew H. Sawyer, Arthur Scheving, Earl W. Scheewies, Irvin E. Silvy, Henry Skagen, Orlando Skagen, Arvid T. Smith, Elmer Solberg, Jesse Sorum, Oscar J. Stearns, Arthur C. Strand, Henry Talmo, Fred C. Tassell, Earl H. Telle, Louis P. Trepanier, Harold E. Trotter.

COMPANY M

Ansel G. Wineman, Capt.; Oscar G. Holm, 1st Lieut.; Harley I. Henson, 2d Lieut.; John A. Stevens, 1st Sergt.; James M. Culliton, Q. M. Sergt.; Axel E. Knutson, Sergt.; Carl W. Halten, Sergt.; Clarence D. Locklin, Jr., Sergt.; Merwyn H. Hanson, Sergt.; Earl E. Hanson, Sergt.; Eugene Vandeneynde, Corp.; Arthur L. Moebeck, Corp.; Olaf P. Ringsby, Corp.; Harold A. Van Dusen, Corp.; Fred M. Locklin, Corp.; Leroy W. Goodwater, Corp.; Donald D. Sliverton, cook; Barney Barton, artificer; Merle Becker, musician; Helmer M. Hagen, musician.

Privates

Chenning G. Anderson, Clarence N. Anderson, Delmar Bjerk, George Bobich, Theodore Carl, Harold J. Culliton, Guy Davis, Lester DeLong, Charles Dryden, Alexander C. Drysdale, Cecil S. Eddington, Heber L. Edwards, John S. Edwards, Harold Ekholt, Wilmer N. Elton, Oscar Enger, Elmer Falconer, Victor Forsness, Oren Garland, Edward G. Goodrie, Fred Goodrie, George Gregg, William Gador, Morris Goldstein, Alexander O. Gorder, Oscar Gunderson, George A. Hagen, Nels Hallstan, Harold Hedican, John Hoffstad, James Hogan, Russell T. Holter, Claude E. Ireland, Charles E. Jelliff, Carrol P. Johnson, Clarence Johnson, Albert Jordan, Ad Lahey, William Lahey, Earl V. Lowe, John McKinnon, Boyd Macdonald, Samuel Miner, James Morgan, Martin T. Moran, William E. Mulligan, Fredrick C. Myers, Earl Nelson, Henry M. Nelson, Ager Newark, Theodore Newark, Albert C. Nuessle, Herman Olson, Rangvaldur G. Patrick, William W. Patterson, Herman Peterson, Max Raines, Edward W. Rogers, Robert B. Rowe, Ora C. Salisbury, Harvard N. Schneeweiss, Arnold B. Seymour, Edward R. Smith, Fred Stanley, Alpha C. Stoddard, August Svedlund, Harry Thomas, Albert Thoreson, Simon Tripp, Leslie G. Trotter, Henry M. Viken, William L. Whitfield, Cashmer Yezpski.

SANITARY TROOPS

Thomas C. Petterson, Maj.; Thomas M. MacLachlin, Capt.; Neil McLean, Capt.; George H. Haynes, Sergt.; Earl M. Crocker, Sergt.; Arthur McDaniel, Sergt.; Curran G. Rourke, Sergt.

Privates

Frank T. Allen, Henry Blake, Ronald D. Campbell, Samuel A. Daniels, Harold Evans, Raynal Hammelton, Cornelius McNally, Harley Moore, Vincent Sinnott, Everett Stoudt, Thomas Streeter, Wayne Watts, Ivan M. Webster, George Blake, Cecil R. Campbell, William Carlson, Edwin Hansen, Basil Howell, Archie H. Reed, Charles J. Thompson.

DETACHMENTS MUSTERED IN AFTER THE CALL

Clarence N. Barker, Capt.; Daniel C. Mulick, 1st Lieut.; Alfred C. Coates, chief musician; Fred Strebig, Sergt.; Austin E. Belyea, private; Leslie H. Langley, private; Wallis R. Bailey, private; John A. Bonnett, private; Neil G. Calkins, private; Herman Christensen, private; Walter Cork, private; Robert Duthie, private; Aksel H. Enger, private; Frank Gagnon, private; Harold R. Garrett, private; George B. Hodge, private; Daniel D. McLaren, private; Esley E. Norton, private; Albert L. Lutjens, private; Phil. St. Pierre, private; Stephen Samson, private; Sindelar, private; Elmer A. Stokke, private; Harry H. Weeden, private; Paul R. C. White, private; Roy S. Williams, private; Earl Wynne, private; George Zalusky, private; John P. Dwyer, private; Ernest A. Harris, private.

ROSTER OF OFFICERS, 1916

Governor L. B. Hanna, Commander-in-Chief, Bismarck, N. D.; Brig.-Gen. T. H. Tharalson, Adjutant-General, Bismarck, N. D.; Col. Frank P. Allen, Chief of Supplies, Lisbon, N. D.; Col. H. R. Bitzing, Judge Advocate-General, Mandan, N. D.

GOVERNOR'S STAFF

Aides with the rank of colonel. Those with the asterisk served in the Spanish-American War and Philippine Insurrection.

*W. C. Treumann, Maj. Gen. Ret., Grafton; *C. F. Mudgett, Maj. Sup. List, Valley City; A. L. Knauf, Capt. Sup. List, Jamestown; Gilbert W. Davis, Fargo; Alex. Scarlett, Minot; C. E. Batcheller, Fingal; Dr. D. Lemieux, Dunseith; Henry Hale, Devils Lake; Oscar Knudson, Grand Forks.

On detail by the War Department under provisions of act of Congress with National Guard: *R. R. Steedman, Maj. U. S. A. Ret., Bismarck, February 7, 1910; *F. H. Turner, 1st Lieut. Infantry, Inspector-Instructor, Bismarck, December 28, 1912.

FIRST INFANTRY

Headquarters, Grafton; Hospital Corps, Lisbon; Band, Lisbon; Company A, Bismarck; Company B, Fargo; Company C, Grafton; Company D, Minot; Company E, Williston; Company F, Mandan; Company G, Valley City; Company H, Jamestown; Company I, Wahpeton; Company K, Dickinson; Company L, Hillsboro; Company M, Devils Lake; Machine Gun Company, Grand Forks.

FIRST REGIMENT INFANTRY, NORTH DAKOTA NATIONAL GUARD

Col. J. H. Fraine, Lieut.-Col. G. C. Grafton, Maj. Dana Wright, Maj. F. S. Henry, Maj. G. A. Fraser, Capt. T. S. Henry, Capt.-Adjt., 1st Lieut. J. W. Murphy, Batt.-Adjt., 1st Lieut. H. H. Hamilton, Batt.-Adjt., 1st Lieut. L. R.

Baird, Batt.-Adjt., 2d Lieut. I. V. Metzger, Batt.-Q. M., 2d Lieut. J. D. Prentice, Batt.-Q. M., 2d Lieut. John Graham, Batt.-Q. M., 1st Lieut. Moultrie, Chaplain.

Company A. Capt. A. B. Welch, 1st Lieut. F. D. Graham, 2d Lieut. Ward L. Preston.

Company B. Capt. G. A. M. Anderson, 1st Lieut. R. C. Colley, 2d Lieut. R. Hill.

Company C. Capt. M. H. Sprague, 1st Lieut. G. Ofstedahl, 2d Lieut. W. K. Truemann.

Company D. Capt. F. E. Wheelon, 1st Lieut. F. O. Gross, 2d Lieut. A. E. Whitney.

Company E. Capt. H. R. Evans, 1st Lieut. E. W. Jeffry, 2d Lieut. W. W. Jeffry.

Company F. Capt. G. I. Solum, 1st Lieut. V. J. Malarvie, 2d Lieut. Robt. Wilson.

Company G. Capt. D. S. Richy, 1st Lieut. Milton Mason, 2d Lieut. Fay Ross.

Company H. Capt. James V. Gray, 1st Lieut. Calvin Smith, 2d Lieut. Alex. Steinbach.

Company I. Capt. T. J. Thomsen, 1st Lieut. C. M. Ulsacker, 2d Lieut. Leo Dominick.

Company K. Capt. C. M. Barker, 1st Lieut. Dean Wiley, 2d Lieut. Albert Bohoneck.

Company L. Capt. B. C. Boyd, 1st Lieut. B. A. Olson, 2d Lieut. Henry Halvorson.

Company M. Capt. (vacancy), 1st Lieut. O. G. Holm, 2d Lieut. Fred Moore.

Machine Gun Company. Capt. L. L. Eckman, 1st Lieut. B. C. Mulick.

Hospital Corps. Maj. T. C. Patterson, Capt. Neil McLean.

FIRST REGIMENT NORTH DAKOTA INFANTRY

The First Regiment of North Dakota was organized January 31, 1885, under the Territory of Dakota. The National Guard of North Dakota was reorganized under Governor John Miller, first governor of North Dakota, in 1889, and was designated as the First Regiment, North Dakota National Guard, Gen. W. H. Topping, Adjutant-General, and Col. A. P. Peake, Commanding First Regiment.

This regiment remained so until the Spanish-American war, when two battalions with Col. W. C. Truemann commanding, was mustered into service of the United States as the First North Dakota Volunteer Infantry, April 26, 1898. This regiment served in the Philippines under Gen. S. Overshine and Gen. Henry W. Lawton, United States army, taking part in thirty-two engagements and skirmishes in and around Manila, P. I. This regiment returned to the United States and was mustered out of service September 22, 1899.

It again was organized as the First Regiment of Infantry of North Dakota, and under the Dick Bill, as the First Regiment of Infantry of the Organized Militia of the United States, and as such they were mustered into the service of the United States at Fort Lincoln on June 30, 1916, as the First North Dakota Regiment, Col. John H. Fraine, commanding.

The National Guard consists of the First Regiment of Infantry, which constitutes the field and staff, band, twelve letter companies, a Machine Gun Company and Sanitary Detachment, Medical Corps.

Other organizations in connection with this regiment are as follows: Quartermaster Corps, Major Paul R. Tharolson in command, Major Harold Sorenson, Captain Warren A. Stickley and Captain John W. Rock. The Field Hospital was organized by Major T. C. Patterson at Lisbon, during the month of May, 1917, with Capt. Neil McLean, of Kenmare, and Lieut. Charles E. Hunt, of Valley City, as his assistants.

SUPERNUMERARY LIST

Major: Charles F. Mudget, Valley City. Captains: Frank Ross, Milton P. Wells, Tower City; Arthur L. Knauf, Jamestown; Blanchard J. Schoregge, Williston; Edward S. Persons, Minot; Earl R. Sarles, Hillsboro.

RETIRED LIST

Major Generals: Herbert M. Creel, Devil's Lake; Thomas H. Poole, Bismarck; Amasa P. Peake, Valley City; William C. Treumann, Grafton.

Brigadier General: Melvin A. Hildreth, Fargo.

Colonel: Samuel L. Nuchols, Mandan.

Majors: Dorman Baldwin, Jr., Jamestown; Ambrose J. Osborne, Dickinson.

Captains: J. D. Eaton, Dunseith; Ole Manderud, Jamestown; Herbert C. Fish, Hope; James D. Stenson, Devil's Lake.

The war record made by this organization is an enviable one. In the Philippine campaign it proved to be one of the most valiant in the Spanish-American war, and drew the compliment from General Henry Ware Lawton, "You can't stampede the First North Dakota."

Upon the reorganization of the regiment after its return from the Philippines, many of the officers were chosen from the veterans of that campaign. In July, 1917, fourteen of them were still with the regiment.

June 18, 1916, President Wilson called the National Guard to the Mexican border, and on June 25th the First North Dakota Infantry answered, and was mobilized at Fort Lincoln, near Bismarck, and remained in camp until the evening of July 22d, when about 1,100 men entrained for Mercedes, Texas, a point which witnessed some of the worst crimes in the raids along the Mexican border. For six months they patrolled the banks of the Rio Grande, and did much toward bringing order out of chaos in that part of the country. Of all the many regiments on the border at that time, this regiment stood among the very best in every respect.

January 23d, 1917, they entrained for Fort Snelling, where they were mustered out on the 14th of February; arriving in North Dakota on the 15th. Each division of the organization was accorded the most hearty reception upon arrival at its home station.

But the work of the First Regiment was only begun, for on March 25th following, the Second Battalion, under command of Major Dana Wright, consisting of Company A, Bismarck; F, Mandan; H of Jamestown, and K of Dickinson, was called into Federal service. Companies A and F were encamped at the

Northern Pacific bridge, which spans the Missouri River between Bismarck and Mandan, where they guarded that structure. Company H was sent to Valley City, and a detachment of that company sent on to Fargo, where they did similar duty, but Company K was sent to Fort Missoula, Montana, to guard that fort. The latter company was withdrawn about June 1st, and sent to Fort Lincoln, where Companies A and F were also stationed. The companies did their turn guarding the bridge and the fort.

Orders from the War Department required that the companies be recruited up to war strength, and on July 15, 1917, when ordered into service, the ranks were filled.

In March, 1918, the North Dakota National Guard was a part of a sector in the front line in France doing valiant service in the great battle for the freedom of nations, and for world democracy.

STATE of NORTH DAKOTA

Northern Pacific bridge, which spans the Missouri River between Bismarck and Mandan, where they guarded that structure. Company H was sent to Valley City and a detachment of that company sent on to Fargo, where they did [illegible] Company K was sent to Fort Missoula, Montana, to guard that [illegible] The latter company was withdrawn about June 1st, and sent to Fort Lincoln, where [illegible] the companies did their [illegible] guarding the bridge and the town.

Orders from the War Department [illegible] be recruited up to war strength [illegible] July 15 [illegible] when [illegible] the ranks were filled.

In March, 1918, the North Dakota National Guard [illegible] of a Senior [illegible] in France, [illegible] valiant [illegible] battles for the freedom of mankind and for world democracy.

CHAPTER XXXVIII

THE POLITICAL REVOLUTION IN NORTH DAKOTA

> "History maketh a young man to be old, without either wrinkles or gray hairs. * * * Yea, it not only maketh things past present; but enableth one to make a rational conjecture of things to come."
>
> —*Thomas Fuller.*

The general election in North Dakota in 1916, may properly be styled a revolution. It was full of surprises and the causes leading up to it should go into the history of the state. A former revolution, when the populists gained control, came from the fear of so-called bosses and the domination of corporate influences. It was gained through the Farmers' Alliance, whose organizers visited all portions of the state, organizing at one point in the morning, at another in the forenoon, others at midday, in the afternoon, in the evening, and late at night. Their work being in secret there was no opportunity to refute or explain the allegation which set the hearts of the farmers aflame, and led to distrust of the party in power. The fact that the affairs of the state had been properly administered and that the railroads, against whom their shafts were directed, had reason to encourage and none to destroy or retard their prosperity, was ignored. Control of the state government was their purpose, and it was accomplished. The revolution was quite as complete as in 1916. There was then no charge of corruption; it was an uprising of a class to gain measures of protection they deemed essential.

THE NONPARTISAN LEAGUE

In the legislative assembly of 1914, there was a determined movement on the part of the farmers to secure a large appropriation from the state for a state owned and operated terminal elevator at St. Paul. Delegations of farmers from all over the state, under the leadership of George S. Loftus of St. Paul, who had been from 1912 the sales manager for the Equity Exchange at St. Paul, labored with might and main to induce the Legislature to make the appropriation. The refusal of the Legislature to accede to the wishes of the farmers, was the primary cause of the revolution which has taken place in the political history of the state.

The Board of Control of the State, by direction of Governor Hanna, had investigated the provincial owned elevators in Manitoba and in Canada, and reported to the Legislature that these elevators had been operated at a loss, and had been of no substantial benefit to the farmers of that dominion in the regulating of grades, or in obtaining higher prices for their grain, and that it would be unwise for the state to appropriate for the construction of a terminal elevator to be operated by officers of the state, as it would certainly prove a bad investment of state funds. That it could in no wise control the grading or inspection of wheat, and would be without influence in fixing the price of grain. That the great law of supply and demand was the controlling factor, and prices were always regulated by the surplus over home consumption, which was shipped to foreign countries, and determined in a large degree the price.

This report had much to do with the action of the Legislature. The report did not, however, convince the farmers. They felt that through mixing of wheat and in other ways they were not getting the grade their wheat was to receive from the Millers' Association at Minneapolis, and the great elevator companies in Duluth, St. Paul, Minneapolis and Chicago, and the only way in which they could get proper inspection and grading of their grain, and a price according to its quality was to have their own terminal elevator.

In the fall of 1914, Mr. A. C. Townley, now president of the Farmers' Nonpartisan League, and the most prominent man in its organization, began his plan of campaign and entered actively upon the forming of what is now known as the Farmers' Nonpartisan League. In this work he had the active co-operation of a Mr. Russell, a writer for the Pearsons Magazine. The plan of organization was the creating of an executive committee of five, who were to outline the policy and the work of the league. They put organizers and speakers into the field with the program of what they expected to accomplish in the way of legislation in 1917.

They were to obtain members of the farmers' organization who would pledge themselves to favor the nomination and election of members of the Legislature, pledged to work out a different system of grain grading and inspection, and would favor the building of a state controlled and operated terminal elevator, state hail insurance, state owned and operated mills, factories and packing houses. Each farmer who became a member of the league was to receive for a year a copy of Pearsons Magazine, and a weekly newspaper called The Non Partisan Leader, which they started in Fargo, with David C. Coates of Spokane, Wash., as the editor.

The organization moved forward by leaps and bounds and prior to the June primaries, they claimed to have enrolled as members of the organization from thirty-six to forty thousand farmers, thirty thousand of whom had theretofore been identified with the republican party in the state, and from six to eight thousand of whom had been identified with the socialist and democratic parties in the state.

In the fall of 1915, and in the spring and summer of 1916, they had perfected their organization in practically every county in the state. The executive committee arranged a large number of what they called picnics held in each legislative district of the state; they called upon these district organizations to send delegates to a state meeting to be held in Fargo the last of March, or about the first of April, 1916. This convention was very largely attended by farmers representing every section of the state. They decided to put no farmers' ticket as such in the field, but to nominate a state ticket as republicans, headed by Lynn J. Frazier of Pembina County for governor. They did endorse one democrat of the name of Casey for state treasurer, and they proceeded to name state senators and state representatives from every senatorial and legislative district. A very large proportion of these nominees had theretofore been affiliated with the republican party, and were endorsed as republicans.

Under a state law the voters of the state are registered by the assessors. Each man must declare his party affiliation and he must vote in the primary election the ticket that he declares for, and to carry out their plans some eight thousand or more democrats and socialists registered as republicans that they might vote for the ticket named by the Non Partisan League.

In the June primaries the entire state ticket as named by the convention was nominated, and in the election on November 7th, were elected, excepting the democrat, Casey, for state treasurer, who was defeated by the republican candidate, Steen, by a small majority.

The league officers took no stand on national candidates for president or senators or congressmen. They left that to the individual judgment of the republicans. The great work in Congress for national inspection by Senator Porter J. McCumber was favorable to his election. The republican candidates for Congress were also elected.

The essential purpose claimed by the officers of the league is to prevent the acquisition of enormous fortunes by persons who make no adequate return for them and to make easier and pleasanter the lot of the actual toiler in every legitimate field of endeavor.

Their program appears to include the public ownership of everything that enters into the business of production and distribution. Whether the state is to become a great social and business organization with the activities of all its members directly under its control remains to be demonstrated. Presumably the power placed in their hands by an intelligent and confiding people will be wisely used.

GOVERNOR LYNN J. FRAZIER

Lynn J. Frazier was born on a farm in Steele County, Minnesota, on December 21st, 1874. His father came with his family to North Dakota in the spring of 1881, and settled on Section 33 of Township 159, Range 54, in Pembina County. Thomas Frazier, his father, built a little sod house in which his family lived for several years. Lynn Frazier's present home is on the same place, practically the only home he has ever known.

The boy Lynn began his education in the country school in his neighborhood; later he went to Grafton High School, where he graduated at the age of seventeen. His father had died a year before and he and his brothers had taken up the work of running the farm.

The next fall Lynn, mature and manly for his age, began teaching a country school, developing an ambition to become a well-educated man, having visions of a profession, as a lawyer or a doctor. At 19 years of age he entered the Normal School at Mayville, graduating with that institution's first class in 1895, when he returned to teaching, with his former teachers and classmates predicting for him a brilliant future in whatever profession he might adopt.

He continued teaching for two years.

In the fall of 1897, young Frazier, then nearly 23, entered the state university of Grand Forks. He had been a classmate at Mayville Normal with N. C. Mac-

Donald, now Superintendent of Public Instruction. They roomed together and "batched" during their college career. Frazier's main diversion was football. He was a husky farmer's boy and he had little difficulty making the university team. He was of the square, blocky type ideal for a center in those days of driving line rushes and he became the most important cog in an excellent football machine.

In his junior year he was captain of the team, a team which the "old boys" say was the best the state university ever turned out. It was undefeated during its season and only six points were scored against it. He was re-elected captain for the senior year, an unusual honor in football history, for this position is usually passed around to a different player each year.

Frazier graduated from the university in 1901 with a brilliant scholarship record and practically all the honors his classmates could give him.

The death of his brother, who had been in charge of the farm, caused his return to the farm, where he proved himself a good and successful farmer.

Two years after his graduation from college, Frazier was married to Lottie Stafford, daughter of a neighboring farmer. When twin girls were born to them a year later there was something of a celebration at the university, where Frazier was still a hero. Congratulations were sent to the farm north of Hoople and it was the mother's idea to name the girls Unie and Versie as a tribute to the college.

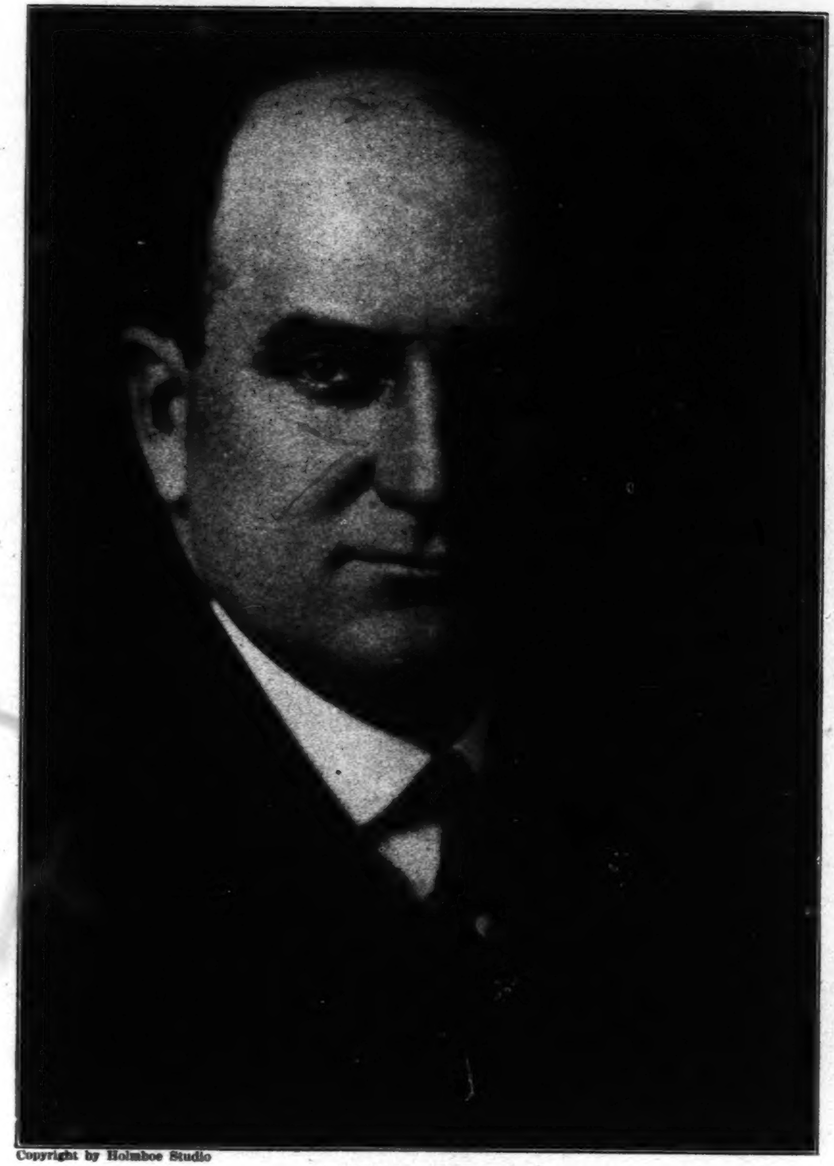
The girls are now (1917) twelve years old and they have two brothers, Vernon, ten, and Willis, eight.

Lynn Frazier never had been in politics, aside from the calls his neighbors had made on him for service in his own community; he had not sought office. For a number of years he had been a member of the township board of Elora township, for three or four years he had been its chairman, was a member of the board of directors of the rural consolidated school district, and secretary-treasurer of the Hoople Farmers' Grain Company and a director of the Crystal Home Improvement Company, which operates rural telephone lines and four telephone systems; also a director of the Crystal Farmers' Cooperative Mercantile Company, which operates a general store at Crystal. He is the owner of three quarter sections of land and rents a fourth quarter owned by his niece and nephew.

Locally Frazier was active as a prohibitionist, as his father was before him. Never having tasted liquor himself he has seen something of its use, through periods when prohibition has been laxly enforced in his neighborhood and he has been a constant agitator for more thorough methods of enforcement.

At the final mass meeting of the League in Fargo following the convention, Governor Frazier related the circumstances of his being summoned to Fargo to receive the nomination. He had driven into town for the girls and was informed that he was wanted at the telephone, where he learned it was the League headquarters at Fargo talking and that they wanted him to come at once, but a return trip to the farm was necessary for a change of dress, and on reaching Fargo the next day he found the League delegates in their convention had nominated him for governor.

President Townley said in introducing Mr. Frazier to the audience of more than 2,000 people: "This is one of the rare occasions in the history of American



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LYNN J. FRAZIER

Governor of North Dakota

states when the office actually has sought the man, as it did in the case of George Washington, instead of the man seeking the office. This man is going to be elected governor of the State of North Dakota. Your votes and your influence will do the work. He is going to be the greatest governor this state has ever had, and under his administration this state is going to become the best governed state in the Union."

Mr. Frazier was elected, as prophesied; his action in office justified the confidence placed in him; under his guidance much was accomplished toward bringing about the changed conditions for which the Non-Partisan League was organized.

Nominally republican, the ticket endorsed by the League was elected at the November election with one exception, that of Casey, nominated for State Treasurer.

THE STATE OFFICERS ELECTED

The officers elected on the ticket with Governor Frazier were: Lieutenant Governor, A. T. Kraabel; Secretary of State, Thomas Hall; State Auditor, Carl R. Kositzky; State Treasurer, John Steen; Insurance Commissioner, S. A. Olsness; Attorney General, William Langer; Superintendent of Public Instruction, N. C. Macdonald; Commissioner of Agriculture and Labor, John N. Hagan; Commissioners of Railroads, S. J. Aandahl, Charles W. Bleick, M. P. Johnson.

SPECIAL ELECTION IN 1917

In April, 1917, Congressman H. T. Helgesen died and a special election was held for the choice of his successor, when John M. Baer, who had taken a prominent part in the Non-Partisan campaign of 1916, was chosen as the Non-Partisan League candidate by a majority over the combined votes of the six competing candidates.

The election was called for July 10, 1917. Both the Democratic and Republican parties placed candidates in the field for election and four other republicans were candidates for the office. The Non-Partisan League, holding that the time was ripe for independent action, placed John M. Baer in nomination, and promptly announced their platform, embracing the following planks:

A declaration of loyalty to our country, right or wrong, as against any nation with which we may be at war; — BUT — a determination that, if we found our country in the wrong, we should make vigorous efforts to set her right.

Peace without annexations or indemnities,

The cessation of secret diplomacy,

Government control of terminal elevators, flour mills, packing plants, cold storage plants, etc.

The conscription of war profits,

Free speech and an unmuzzled press,

International standards of democracy at the close of the war.

The campaign was vigorously prosecuted by the managers of the several parties, but it was apparent that the League, flushed with their victory in the previous November election and gratified by the results of legislative action during the previous winter, occupied an invincible position.

The cheering returns of the early evening soon turned into a landslide and long before 10 P. M. there was no room for doubt as to the result. The contest was between the Republican and Democratic and Non-Partisan candidates, with the latter winning by a majority over both. The votes for the other four cut little figure and had no effect in deciding the results of the election.

The prime object of the organization of the League in its early inception was to benefit the agricultural industries, but it has broadened its purpose in the hope of bringing improved conditions for the entire population. As it has broadened its purposes its field of opportunity has increased and it presents a new factor in the politics of the country. The aims of the League in its broader field seems to include the inauguration of an economic system which will include state terminal elevators, flour mills, packing plants, cold storage plants, and warehouses. A bill was introduced in the last legislature of North Dakota providing for a new state constitution, which would empower the state to establish these industries within the bounds of the state and to issue bonds for this purpose, the debt limitations of the present constitution being a recognized obstacle.

The necessity for congressional legislation to carry out their plans is also recognized and it is planned to make the Non-Partisan organization nation-wide.

HON. JOHN M. BAER

Mr. Baer is the youngest man in Congress, and the junior member, but has proven his efficiency. On his arrival at Washington he said in a press interview: "So far as my own state is concerned, no people on earth are more loyal to their country and their flag than the people of North Dakota. We are determined that the loyal patriots who lay down their lives in the trenches of Europe shall not be robbed of freedom and democracy at home, and that the survivors of that bloody conflict shall not return home with maimed and broken bodies, to carry the burden of the money cost of the war. Wealth must and shall pay that financial cost, or we will know the reason why. Our glorious flag stands for equality, for liberty, for justice, and none but a coward or traitor, to our flag and our country, will hesitate to enter into this fight for the fundamental principles for which our flag and our country stand, and for the establishment of which our forefathers fought and conquered.

Hon. John M. Baer was born March 29, 1885, at Black Creek, Wisconsin, a son of Capt. John M. Baer, Sr., who served four years in the Civil War, being wounded twice. He was a member of the 114th and 120th Ohio Volunteer Infantry; his mother's maiden name was Libbie C. Riley, an author. The Congressman was educated in the public schools and Lawrence University, at Appleton, Wisconsin, receiving the degree of B. A. from that institution. He married Estella G. Kennedy, daughter of the North Dakota flax king, in Minneapolis, Minnesota, at the family home, Dec. 29, 1910. They have two children. He was Postmaster at Beach, North Dakota, 1913-1915, resigning to take up the work of a farmer cartoonist, at Fargo, North Dakota, on the Non-Partisan Leader and other North Dakota papers, Sept. 1, 1915. He was engaged in civil engineering and farming from 1909 to 1915.

Mr. Baer has always been actively interested in journalistic work, and has spoken on the platform of the National Editorial Association, of which he is a member. He is also a member of other newspaper organizations.

He has made a specialty of cartooning and chalk talking. Several of his cartoons appeared in the Hearst line of newspapers during the summer of 1917. He is the only professional cartoonist who has held a seat in Congress.

NON-PARTISAN LEGISLATION, 1917

Thirty-three beneficial laws enacted, as follows:

Filing fees for bonds of township officers cut out.—To compel railways to furnish cars to all shippers alike.—To compel railways to furnish sites for elevators and warehouses on right of way.—Compels railways to furnish side tracks at coal mines.—Makes railways pay employees twice each month.—Passed a splendid warehouse license law.—Prohibited the sale of promissory notes taken in payment of insurance premiums.—Combined the Clerk of the County Court's office with that of the District Court and saves the salary of one officer.—Requires county commissioners to personally supervise road work.—Repealed the law allowing expenses to Supreme Court.—Passed co-operative corporation law.—A law taxing a 60-horse power car $26 and a 20-horse power car $6. All the fees to be spent on the roads.—Provided for the issuance of writs of error by the Supreme Court.—Prohibiting discrimination between localities in the price of cream.—Provided for a Dairy Commission.—Established a license system for creameries. Prevents unfair dealing.—Prohibiting the sale of dangerous drugs.—Guarantee of Bank Deposits law, in which the banks are all assessed to raise the money to guarantee the depositors.—Establishing weighing and grading law for the state.—Taxing money and credits that have heretofore escaped.—Providing for compensation for convicts who have served time and are afterwards proven innocent.—Provided for and established model Highway Commission, urged for many years in other states, but not put into law which cheapens and standardizes road construction, and secures federal aid.—Provided for publication of information for dairymen at state expense—established a Welfare Commission, recognized as real reform in the direction of justice—to the workers in dangerous callings.—Passed laws for the standardization of rural schools.—Levied a 15 per cent Inheritance Tax on large fortunes.—Established evening schools for young men and women above school age.—Established County Agricultural and Training Schools.—Laws taxing foreign corporations that have escaped taxation in the past.—Established township dipping tanks for stock.—Gave the vote to women on everything but the state officers.—Appropriated money for experiments at Agricultural College with wheat which Dr. Ladd showed was being sold at 70 cents per bushel was worth for making flour just as much as No. 1 Northern that was being sold at the same time at $1.70 per bushel.—Passed laws classifying property for taxation, which provides that improvements upon farm lands are to be valued at 5 per cent of their actual value, while railroad property, express and telegraph, and banks, together with land are to be valued for taxation at 30 per cent of their true value.

CHAPTER XXXIX

FOUNDING OF THE CATHOLIC CHURCH IN NORTH DAKOTA

ITS EARLY HISTORY AND WORK—THE MISSION AT PEMBINA AND ST. JOSEPH AND THEIR RELATION TO ST. BONIFACE—BISHOP PROVENCHER, FATHER DUMOULIN, FATHER BELCOURT AND OTHER EARLY PRIESTS—THE DIOCESE OF NORTH DAKOTA DEATH OF BISHOP SHANLEY.

> **"Religion does not censure or exclude**
> **Unnumbered pleasures harmlessly pursued;**
> **To study culture, and with artful toil,**
> **To meliorate, and tame the stubborn soil.**
> **To give dissimilar yet fruitful lands**
> **The grain, or herb, or plant, that each demands."**
> ***—William Cowper. Retirement.***

From an article by the late Bishop John Shanley, to be found in Volume 2, North Dakota Historical Collections, 1908, the following facts are condensed and others added.

The earlier trading posts, of which an account is given elsewhere, having been abandoned after the cession of Canada by the French to England in 1763, the activities of the North West Company were commenced in 1783-4, and in 1806 this company had 1,200 employees in the Red River region, some of whom intermarried with Indian women, giving the origin of the half-blood families in the Red River country.

In 1818, at the request of Lord Selkirk, a Protestant, Bishop J. O. Plessis, of Quebec, assigned Rev. Joseph Norbert Provencher and Rev. Joseph Severe Norbert Dumoulin to St. Boniface, Selkirk, by a due and sufficient deed giving a tract of 25 acres for the church and a block of land five miles long and four miles wide for the mission.

Provencher took the title of vicar-general and Dumoulin of missionary priest. They left Quebec for the Red River, May 19, 1818, and arrived at St. Boniface, which then took its name, July 16, 1818.

There being the greater population at Pembina, and better means of support because of the buffalo and game in that locality, Father Dumoulin, in September, 1818, was assigned to Pembina, being accompanied by William Edge, a catechist, and they established a mission and school at Pembina, Dumoulin becoming the first missionary on North Dakota soil, and Edge the first teacher.

The instructions of Bishop Plessis were full and explicit, reminding Provencher of their duty to the Indians, to the bad Christians living among them, to the church, to themselves, to God and their country.

Dumoulin was sent to Pembina with instructions to pass the winter there. Father Provencher, coming to Pembina in January, 1819, also remained that winter. The school was then prospering and Father Dumoulin had baptized fifty-two persons; 300 people were in his congregation, their residences being grouped around the site of the new chapel, while the number then at St. Boniface did not exceed fifty.

August 16, 1820, Father Provencher left St. Boniface for Quebec. On the 7th of the same month Rev. Thomas Destroismaisons, acompanied by a catechist, Mr. Sauve, arrived at St. Boniface and took up the work there.

On his arrival at Quebec Father Provencher found he had been appointed by a bull of the Holy See, Feb. 1, 1820, Coadjutor Bishop of Quebec, with the title of Bishop of Juliopolis. He was consecrated May 12, 1822. During his absence he secured the services of a young priest, John Harper, ordained at St. Boniface, Nov. 21, 1824, who conducted the mission school at St. Boniface for a number of years. Bishop Provencher returned to St. Boniface Aug. 7, 1822, and in obedience to an edict of the Hudson Bay Company, took the necessary steps to close the mission at Pembina, which was not fully accomplished until August, 1823, when Father Dumoulin, broken hearted, returned to Quebec, and died in 1853. He was born at Montreal Dec. 5, 1793, ordained Feb. 23, 1817, serving over five years among the people of the Red River county, within the limits of North Dakota. September, 1818, therefore, marks the beginning of the life of the Catholic Church in North Dakota.

For three successive seasons the crops, which the colonists had attempted to raise in the Red River Valley, had been destroyed by grasshoppers and many settlers left the valley completely disheartened.

Some of the Pembina congregation of Father Dumoulin remained at Pembina, some established the parish of St. Xavier on the Canadian side of the line, others went to St. Boniface and some to St. Paul, Minnesota.

Beltrami, writing from Pembina in 1823, speaking of Bishop Provencher, said: "His merits and virtues are the theme of general praise and it is said that his zeal is not the offspring of ambition; that his piety is pure, his heart simple and generous. He does not give ostentatious bounties at the expense of his creditors; he is hospitable to strangers; and dissimulation never sullies his mind or his holy and paternal ministry."

When notified of his appointment as bishop he was stricken with grief, but he finally wrote: "Trembling I accept the burden imposed on me in punishment of my sins."

In 1825 the Hudson's Bay Company passed a resolution commending the work of Bishop Provencher and in appreciation of his influence for good recommended the payment of fifty pounds per annum toward his support. That year a flood occurred in the Red River Valley, requiring all of the resources of the good bishop in caring for the suffering colonists and others.

Father Destroismaisons returned to Canada in 1827, after seven years' labor in the Red River country, succeeding Father Dumoulin in his work. He in turn was succeeded by Rev. John Harper.

Bishop Provencher opened a school for girls at St. Boniface in 1819, placing the school in charge of two sisters of the name of Nolen from Pembina, whose father had spent many years as a trader residing at Pembina, North Dakota, thus giving to Manitoba its first lady teachers.

Bishop Provencher went to Canada in 1830, leaving Rev. John Harper in charge. On his return he was accompanied by Rev. George Anthony Belcourt, who arrived at St. Boniface June 17, 1831, and soon thereafter became the second resident priest in North Dakota. Father Harper then returned to Quebec. In 1833 Rev. Charles Poire and Rev. John Baptiste Thibault were ordained at St. Boniface.

Father Belcourt had studied the Algonquin language and to him was assigned the Indian missions. He soon acquired a perfect knowledge of the Chippewa tongue, later composing a grammar and dictionary of that language, published after his death by Father Albert Lacombe. For many years the language was taught to young missionaries.

In 1838, Rev. Arsene Mayrand was added to the missionary band and in 1841, Rev. Jean Darveau was added. He was drowned in 1844. All of these priests attended to Catholics at Pembina at times and accompanied the hunters whenever they could from 1831 to 1848, when Father Belcourt became the resident pastor at Pembina. For him the town of Belcourt in the Turtle Mountains now the site of an important Indian school, was named.

In 1837, Rev. Modeste Demers, first bishop of Vancouver, labored in the Red River missions. In 1848, Rev. Francis Norbert Blanchet, first bishop of Oregon City, spent some weeks on the Red River, leaving with Bishop Demers. They were the first priests to celebrate mass on the Saskatchewan, but they do not appear to have officiated in North Dakota.

In 1844, Bishop Provencher secured Rev. J. F. Lafleche and Father Joseph Bourassa. Accompanied by a small party of gray nuns, they arrived at St. Boniface June 21, 1844. Lafleche, in February, 1847, was consecrated coadjutor bishop of Three Rivers. He became bishop in 1870 and died July 14, 1898.

June 24, 1845, Revs. Aubert, an Oblate father, and Alexandre Tache, later archbishop of St. Boniface, came. He became coadjutor bishop of St. Boniface Sept. 22, 1870, dying June 22, 1894. He was a distant relative of Verendrye, who explored the Red River in 1734. Father Tache labored in North Dakota and was for many years vicar-general of the American bishops, Grace, Seidenbusche, Marty and Shanley, who exercised jurisdiction from 1859. Another name not mentioned above is that of Fr. Boucher, from 1827 to 1833.

Bishop Provencher crossed the plains with a caravan of Red River carts in 1843 from Pembina to St. Paul. These carts increased from six in 1843 to 162 in 1851 and 600 in 1858. In going or coming they were generally accompanied by a priest, who said mass nearly every morning.

In 1842, Father Augustine Revoux had began a mission among the Sioux at Lake Traverse. It was he who instructed, baptized and assisted thirty-three of thirty-eight Sioux executed at Mankato, Dec. 26, 1862, for complicity in the Sioux massacre. Bishop Lafleche often claimed he was the pastor at Wild Rice, near Fargo, as he had so often officiated there for the Canadian half-bloods and the few Indians in that vicinity. Before 1856, mass had been said in every camping place from Lake Traverse to Pembina.

In 1847, Rev. Henry Faraud accompanied the hunters on the plains of North Dakota. The population, often to the number of three or four hundred, camped on the plains three or four months on their annual hunts, a priest usually accompanying the party. In November, 1864, Father Faraud was appointed vicarate-apostolic of Athabasca-McKenzie.

In 1848, a lay brother (Dube) went with the hunters twice to the prairies in the absence of a priest who could accompany them. In 1849, this work was confined to Fathers Maisoneuve and Tissot.

Father Belcourt took up his residence at Pembina by permission of Bishop Provencher. He came to the Red River in 1831, and remained twenty-eight years. His last ministerial act in the Red River country, March 15, 1859, was the baptism of Gabriel Grant, for several years chief of police at Fargo. The church records show that Father Belcourt was at Pembina from Aug. 14, 1848, to March 15, 1859, and this record affords the oldest record of marriage, births and deaths in North Dakota. Father Belcourt's residence was moved to St. Joseph (now Walhalla) in 1853, where his work closed in 1859.

On the hunt, the priest, in addition to his spiritual work, was the magistrate, the doctor, and the one who decided all cases without appeal. Father Albert Lacombe spent two years at Pembina with Father Belcourt. The church there was known as the church of the Assumption, and in 1850 the settlement was composed of 500 half bloods. In 1854 the church directory claimed over 1,500 Catholics, mostly half breeds, for the mission at Pembina. In 1855 Rev. John Fayola is mentioned as being with Father Belcourt. In 1856 a Sisters' School is mentioned, with 100 pupils. At Walhalla, then known as the Mission of St. Joseph, Father Belcourt built a church, Sisters' School and flouring mill. Here were seven Sisters at one time. He visited all points in that region and not only planted the cross at St. Pauls, the highest peak in the Turtle Mountains, six miles east of Bottineau, but evangelized that region.

The fact that the Chippewas did not join the Sioux in their war of 1862-3 against the whites is attributed largely to the influence of Father Belcourt, Father Andre of North Dakota and Father Pierce of Crow Wing, Minnesota. Father Belcourt returned to Canada in 1859 and died in New Brunswick in 1874. In 1859, Father Mestre went on the annual hunt and was instrumental in concluding a treaty of peace between the Red River half-bloods and the Sioux.

In 1859, Rev. Joseph Griffin took charge of the missions at Pembina and St. Joseph. He was assisted by Father Revoux, from St. Paul, and Fathers Thibault, Simonet, Oram and Andre, from St. Boniface. Father Griffin was caught in a blizzard near what is now Neche, and remained on the prairie five days, losing one leg and part of the other foot from freezing.

During Father Griffin's administration seventy-four were baptized and eight marriages were performed in Pembina, and 118 baptisms and fourteen marriages at St. Joseph.

Bishop Thomas L. Grace of St. Paul visited Pembina in 1861 and placed the missions at Pembina and St. Joseph in charge of the Oblate Fathers across the line. The priests thereafter in charge until 1887 were at St. Joseph, Reverends J. N. Simonet, 1861; A. Andre, Oct., 1861, to 1864; H. Germain, 1862 to 1865; I. B. E. Richer, 1864 to 1869; N. Vergeville, 1865; H. Le Due, 1865; L. Lehsoff, 1866; A. Laity, 1868; J. M. J. LeFlock, 1868 to 1877; Ignatius Tomagin, 1878; J. D. Fillion, 1878, and Louis Bonin, 1877 to 1887; Michael Charbouneau visited the church there in 1877 and 1878.

Substantially the same priests were on duty at Pembina during the same period, Louis Bonin remaining until 1889, when he was succeeded by Rev. John Considine.

From 1818 to 1880, thirty-three Catholic priests and four bishops had been on duty in North Dakota and their work preceded that of any other Christian denomination. In 1873 Father LeFlock transferred the St. Joseph mission from Walhalla to Leroy.

Father DeSmet visited North Dakota in 1840, visiting the Mandan villages and Fort Berthold, where he baptized, among others, Martin Good Bear, Joseph Packeneau, and a number of children.

Father Revoux won the love and sympathy of the Sioux through his ministration to their condemned brothers at Mankato, and they were ripe for the work of Major Forbes, Indian agent at Devil's Lake (1871-1875), through whom the first Catholic mission in North Dakota was founded at Fort Totten. Before 1874 no real missionary work had been done by Catholic priests in North Dakota. With the advent of the Northern Pacific and Great Northern Railroads, churches and schools were builded in North Dakota.

Father Genin appears to have been located at Fort Abercrombie in 1868, engaged from 1868 to 1874 in mission work between Fort Abercrombie, McCauleyville and Duluth, taking up his residence in Duluth in 1873. He built the Catholic church edifices at Moorhead, Minn., and Bismarck; he visited the Indian country in 1876, and became pastor at Michigan City in 1889, and later at Bathgate.

Father Keller built the first Catholic church in Brainerd, Minn., in 1873. Father Spitzelberger built the first in Perham, and paid for the church in Moorhead; he also built the church in Casselton. Father Maddock built in Valley City; Father Flannigan in Jamestown; Father Quilliam at Buffalo, and Father Schmitz at Sanborn.

The old church at Bismarck was paid for by Bishop Martin Marty in 1876, and the Sisters' school was established through his aid; Father Chrysostom becoming the pastor there for several years.

When the territory of Dakota was divided the jurisdiction of Bishop Marty was ended by the creation of the See of North Dakota, and John Shanley, Dec. 27, 1889, was consecrated bishop at Jamestown, Fargo later becoming his headquarters, the church and cathedral occupying a building erected by the Methodists, until the present fine cathedral was built in 1891. In 1890 he established St. John's Academy at Jamestown, under the charge of the Sisters of St. Joseph. There were then sixty churches and thirty-three priests, fourteen church schools and one hospital in North Dakota. Mass was said in eighty-one places other than churches. In the twenty years of his work the diocese had increased to 106 priests, 225 churches, and 38 other places where mass was said, six academies, thirty-four parochial schools and four hospitals.

Bishop John Shanley was born January 5, 1852, at Albion, N. Y. At five years of age the family moved to Faribault, Minnesota, and soon afterward to St. Paul, where he received his early education, much of it from association with frontier priests who visited St. Paul during his service as sanctuary boy at the St. Paul Cathedral, from 1858 to 1867. He was graduated at St. John's College, Minn., in 1869, and through Bishop Grace at St. Paul was able to enter the College of Propaganda at Rome, making the journey to Rome in company with Archbishop John Ireland. He remained in this college where he was ordained, May 30, 1874, by special dispensation on account of failing health. When 22 years of age, he became an assistant pastor to Father Ireland, whom he succeeded as pastor when the latter became archbishop. He died at Fargo, July 16, 1909.

Bishop Shanley took great interest in the development of the material interests of Fargo and the state, making large subscriptions to whatever contributed to the advancement of the state or of its people.

CHAPTER XL

EARLY PRESBYTERIANISM IN NORTH DAKOTA

BEGINNING AND PROGRESS OF DEVELOPMENT—FIRST PROTESTANT SERVICE AT PEMBINA—THE MISSION AND MARTYRS OF ST. JOE—PIONEER WORK AT FARGO—FIRST CHURCH ORGANIZATION AT BISMARCK—EIGHTEEN YEARS' DEVELOPMENT.

> "And they who stray in perilous wastes by night,
> Are glad when thou dost shine to guide their footsteps right."
> —*William C. Bryant. Hymn to the North Star.*

The first missionary on the Red River was a Scotch Presbyterian catechist, James Sutherland, who came with the fourth group of Selkirk colonists in 1815. Presumably he visited the colonists at Pembina, but no record has been found to show it. The late Dr. Black visited Pembina in company with Governor Ramsey, on his way to Winnipeg in 1851, and assisted Rev. Alonzo Barnard and Rev. James Tanner in the first Presbyterian service on North Dakota soil of which there is record.

Rev. Oscar H. Elmer began pioneer work at Moorhead and Fargo in October, 1871, and Grand Forks in February, 1872.

THE ORGANIZATION AT BISMARCK

Rev. David C. Lyon, missionary from St. Paul, Minn., visited the Red River Valley in June, 1872, accompanied by Rev. Isaac Oliver Sloan, a chaplain in the Civil War, assisted by Rev. Oscar H. Elmer, then stationed at Moorhead. They held divine service at what is now Crookston, Minnesota.

June 12, 1873, Mr. Lyon visited Bismarck, accompanied by Rev. Isaac Oliver Sloan, and June 15th organized the first religious society in what is now the State of North Dakota, the first service being held in a tent erected for gambling, but not yet used for that purpose. The score or more of saloons and gambling places then doing business at Bismarck closed and the Sunday ball game was declared off. The members of the Presbyterian Church then organized were Col. Clement A. Lounsberry, Henry F. Douglas, John W. Fisher, I. C. Adams and Mrs. W. C. Boswell.

Mrs. Linda W. Slaughter organized a Union Sunday School of which Colonel Lounsberry was secretary.

Colonel Lounsberry came with the missionary party, to establish the Bismarck Tribune, for which he had arranged on a previous visit, May 11th, when he made settlement on his homestead.

Rev. I. O. Sloan addressed the audience in the morning and Rev. D. C. Lyon in the evening. During the afternoon they conducted services at Fort Abraham Lincoln, and while at service the Indians attempted to run off the beef herd grazing on the flats south of Fort A. Lincoln. One Indian was killed and the beef herd recovered by a cavalry dash from the fort by General Custer. Colonel Lounsberry and Prof. William F. Phelps of Winona, Minn., accompanied Mr. Lyon on this occasion.

Rev. H. N. Gates, representing the Congregationalists, came a few days later, bringing lumber for a Congregational Church, the citizens contributing freely to its erection, and when Mr. Sloan returned to commence his work and the erection of the Presbyterian Church, he found it difficult to raise money, many having contributed to the other who had intended to help him in his work.

The Gates proposition had been under the lead of Mrs. Linda W. Slaughter, who had organized the Sunday school and established a week-day school. The Gates building was turned over to her when an understanding was reached for the Congregationalists to retire from the field, the Presbyterians having already occupied it.

Rev. Isaac O. Sloan was able to secure the erection of the Presbyterian church during the summer, but the failure of Jay Cooke and the N. P. Railroad Company that fall, so completely paralyzed all business that he was obliged to pay 10 per cent per month for the money necessary to make it ready for winter.

This was the first Protestant church building erected in North Dakota. He had received $500 aid from friends in St. Paul.

The church was occupied about the middle of December, and a bazaar was given on Christmas which netted $400. Among the contributions sent in was a stocking filled with silver dollars from the Magdalens. Mr. Sloan had the love of all good people of the town and the respect and good will of all others. He was affectionately called Father Sloan, and in cases of serious illness was sometimes called to the bedside of Catholics. The following tribute is from the pen of an army comrade:

Washington, D. C., Sept. 1, 1917.

Col. C. A. Lounsberry.

My Dear Comrade: At your request I most gladly offer my tribute of respect and affection to that noble man of God, Rev. Isaac Oliver Sloan, of blessed memory.

In the summer of 1863, I was taken prisoner and after Belle Isle was paroled and sent to Camp Parole, Annapolis, Md. I had not been there long before a severe case of chills and fever developed and I was admitted to the Naval Academy Hospital. Mr. Sloan was there as an agent of the Christian Commission rendering gratuitous and most beneficent services in dispensing the stores of that organization and helpful services to the sick and wounded "boys in blue" being treated there.

I first met him while he ministered his kind and loving services at the beds of the sick and dying defenders of the Union. Upon my convalescence, he asked me to assist him in serving out the stores. I then had a chance to become intimately acquainted with him and can confidently say that no nobler servant of God ministered in the time of our country's peril. He became greatly interested in Mr. Alfred C. Monroe, a member of the 12th Mass. and who had lost an arm, contributing much of time and means to his education and enabling him to take an honorable and useful place in life. After I had married he visited me, and my oldest son is Rev. Edwin *Sloan* Tasker, D. D., of the Methodist Church.

For his beautiful character and saintly life I shall ever hold him in highest esteem and affection. "The memory of the just is blessed."

A. P. Tasker,
Late 1st N. H. Cavalry,
Past Commander,
Dept. Potomac, G. A. R.

In June, 1873, Mr. Lyon and Mr. Sloan returning from Bismarck conducted services at Jamestown.

The early pastors of the church at Bismarck following Rev. I. O. Sloan were Stephen D. Dodd, W. C. Stevens, S. H. Thomson, C. B. Austin, J. N. Anderson, Alexander Durrie and Charles W. Harris. On his retirement Mr. Sloan engaged in missionary work on the line of the Northern Pacific Railroad. After a long visit East on account of the illness of his mother, he resumed his labors. On visiting Green River (now Dickinson), he saw the sign "Rev. C. A. Duffy" over the door of a saloon. He called upon the alleged reverend, who although greatly embarrassed, gladly contributed $25 for his work.

The church at Mandan was organized in 1881 by Rev. I. O. Sloan, assisted by Rev. C. B. Stevens. The first trustees were Edward F. Doran, Lyman N. Cary, Warren Carpenter, Marian A. Winter and Charles Williams. The early pastors were Rev. I. O. Sloan, L. E. Davis, A. C. Dayton, J. F. Killen, P. S. Dayton, James Byers, M. W. Kratz, Gilbert Wilson, E. S. Beardsley, Thomas A. McCurdy.

The corner-stone of the new church edifice was laid October 1, 1916, Rev. F. W. Brown, pastor. The stone was laid and an appropriate address given by Judge A. A. Bruce, of the North Dakota Supreme Court.

The first religious services at Sims, D. T., and Glendive, Mont., were held by Rev. Mr. Sloan, who had some strenuous experiences in reaching his appointments on foot, after wading treacherous creeks and, like his Master, putting up with "publicans and sinners," while preaching the gospel in saloons, but was generally well treated and someone was always ready to "pass the hat." He extended his travels as far as Miles City, Mont., in company with the Rev. Dr. Roberts, the secretary of the Board of Home Missions, New York. They preached at a mining camp seven miles out, where they found some Christian men and had a good meeting. He organized the churches at Glencoe and Stanton.

THE MISSION AT ST. JOSEPH

A mission was established at St. Joseph, now Walhalla, in 1851, by Rev. James Tanner, a half blood son of John Tanner, the white captive, whose story appears in earlier pages of this history. Mr. Tanner was accompanied by Rev. Alonzo Barnard, through the earnest solicitation of Gov. Alexander Ramsey of Minnesota, who had as ex-officio Superintendent of Indian Affairs, secured $500 for the work from the government. Norman W. Kittson, Indian trader at Pembina, earnestly urged the beginning of this work. Governor Ramsey accompanied the party to Pembina and was accompanied by the late Dr. Black, who succeeded to the work of the Rev. James Sutherland, early missionary to the Selkirk colony. The missionaries, assisted by Dr. Black, held the first Protestant service in North Dakota of which there is any record; when the church was subsequently erected (1879) at Pembina, it was on the identical spot where this service was held. Dr. Black was present, coming from Winnipeg for the purpose.

Rev. James Tanner returned to St. Joseph in 1852 accompanied by Elijah Terry, a Baptist clergyman, who was killed by hostile Sioux, June 28, 1852.

June 1, 1853, Rev. Mr. Barnard returned, accompanied by David B. Spencer, their families and Rev. John Smith. The Barnards were Presbyterians and the

Spencers Congregationalists. They had been associated as missionaries for ten years at Cass Lake. The mission was abandoned in 1855.

The story of the Martyrs of St. Joseph will be found at the close of this chapter.

THE PIONEER PREACHER

Rev. Oscar H. Elmer, the first ordained minister to locate permanently in the Red River Valley, left Sauk Center, Minn., October 20, 1871, preaching his first sermon October 22d in the dining room of the Chapin House. There were then about twenty shanties and tents in the village.

The Northern Pacific Railroad was finished to Fargo and Moorhead, January 1, 1872, but trains were unable to run before March. Preaching was maintained in the dining room of the Chapin House until spring, and then in railroad coaches, in unfinished buildings and warehouses. In June, 1872, a rough chapel was erected at Moorhead, Minn., and a church was soon thereafter organized, consisting of eight members, gathered from both sides of the river. A Sunday school had been held in the timber on the Fargo side in J. G. Keeney's board shanty law office. Evening preaching service was begun in Fargo, December 17, 1871, in a tent.

Mr. Elmer visited Lisbon in 1871 and conducted services at Grand Forks in the uncompleted home of Capt. Alexander Griggs, February 8, 1872; visiting also Turtle River and other points on the North Dakota side of the Red River. He visited Grand Forks again in 1875 and 1877, when he conducted service for ten successive nights in the then new Methodist church. Rev. F. W. Iddings arrived at Grand Forks in September, 1878, and became the first settled Presbyterian minister at that point.

On April 6, 1879, Rev. C. B. Stevens of Fargo and Rev. O. H. Elmer, drove to Grand Forks and assisted Rev. Mr. Iddings in the organization of a Presbyterian Church with about thirty members.

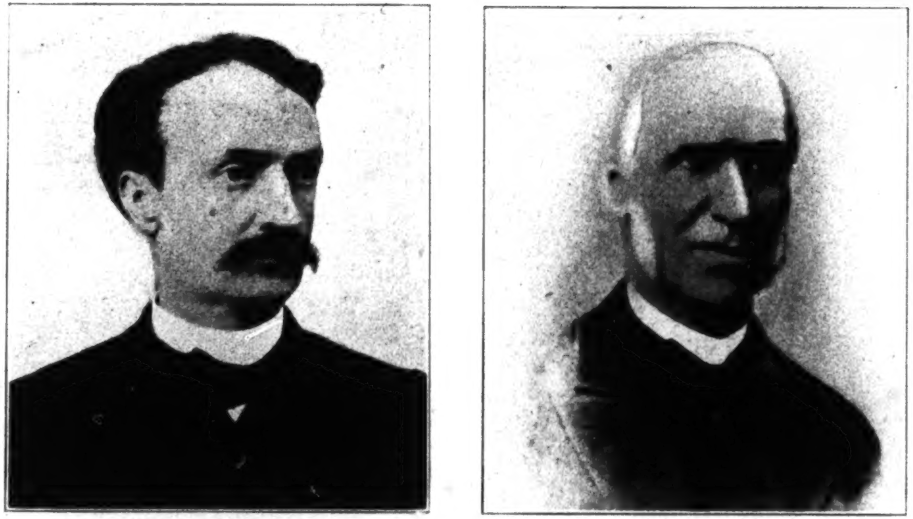
The first meeting of a Presbytery or any other body of ministers held in what is now North Dakota met in the spring of 1881, at Grand Forks.

In 1876 the Rev. John Scott settled at Pembina upon the spot where the first Protestant service was held in 1881 by Revs. Alonzo Barnard and James Tanner. He organized a Sabbath school and extended his work to other points in Pembina County and to points in Minnesota and Manitoba, and in 1879, he organized the first Presbyterian Church north of Fargo and Bismarck.

December 11, 1877, Rev. Cicero B. Stevens preached his first sermon in Fargo; The church was organized on the 30th, and the church building erected and dedicated the latter part of the following October. He was assisted by his predecessor and colleague, Rev. O. H. Elmer, of Moorhead, and the Presbyterian missionary, Rev. John Irwin.

Rev. James H. Baldwin arrived from Wisconsin during the winter of 1878-9 to explore and organize churches between Fargo and Jamestown.

Among the churches and ministers in 1879, were the following: Ministers, Revs. James H. Baldwin, Jamestown and Wheatland; E. J. Thompson, Casselton; Cicero B. Stevens, Fargo; Joseph K. Burgster, Elm River and Elm Grove; Oscar H. Elmer, Moorhead (also preaching at Fargo and other places in Dakota);



Rev. O. H. Eimer

Rev. I. O. Sloan

PIONEER PRESBYTERIAN PREACHERS IN NORTH DAKOTA

Francis W. Iddings, Grand Forks; William Coit Stevens, Bismarck; William Cobleigh (licentiate), Turtle River.

In 1881, Rev. Donald G. McKay settled at Park River, supplying Sweden and Crystal in his field. Rev. J. F. Berry, from Forest River, supplied Minto and Inkster. Rev. R. J. Creswell was stationed at Pembina, installed by Revs. J. A. Brown and J. P. Schell. Rev. William Cobleigh took up the work at Grafton and Rev. Rockwood McQueeton succeeded Rev. F. W. Iddings at Grand Forks, to be followed by Rev. H. H. Brownlee.

The Grafton Church was organized in June, 1882, by Rev. F. W. Iddings, and in July, Rev. J. F. Berry began work at Garfield, Edinburgh and vicinity, and in August Rev. Daniel Willard at Bathgate. Rev. N. W. Cary succeeded Rev. H. H. Brownlee at Grand Forks in 1883, the latter going to Devil's Lake, relieving Rev. E. W. Day, who later was stationed many years at Fargo. Minto and Ardock were served by Revs. John Irwin and A. G. Forbes. In March, 1883, Rev. A. K. Caswell began work at Neche, and Rev. J. A. Brown at Arvilla. In April Rev. Ransom Waite located at Beaulieu and Walhalla. Rev. Alexander Burr took up work at Park River and Mountview.

In September, 1883, the church at Devil's Lake was organized by Revs. Irwin and Brownlee, and the church at Niagara by Rev. J. A. Brown, also the church at Milton by Rev. J. F. Berry. Rev. W. A. Smith took up work at New Rockford and Minnewaukon.

The Presbytery of Pembina met at Grafton, Nov. 7, 1883, having been called by Rev. Wm. Cobleigh to complete its organization. It consisted of members from thirty-three counties, extending from the Red River to the Montana line, and from the Manitoba line to the north lines of Traill, Steele and Griggs counties, and along that line to Montana.

Rev. N. W. Cary preached the sermon. Rev. J. A. Brown was elected moderator and Rev. N. W. Cary, clerk.

Steps were taken to promote the interests of the Presbyterian College by appointing Rev. F. W. Iddings, Rev. C. S. Converse, and Elder D. W. Lake as commissioners to meet those appointed by other Presbyteries.

In October, 1882, the Presbyteries of Pembina, Grand Forks and Red River were created. On Oct. 13, 1883, the "Northern Pacific Presbytery" was created out of the Red River Presbytery. The Pembina Presbytery comprised all of the territory north of the latter.

The Northern Pacific Presbytery comprised the south half of the state, as far west as the east lines of Emmons, Burleigh and McLean counties, about forty miles east of Bismarck; the new Presbytery of Bismarck, taking in all the other unclaimed and unexplored portion of the territory west to the Montana line, which four years later constituted the State of North Dakota.

At the meeting of the Grand Forks Presbytery, at Grand Forks, April 26, 1881, Rev. W. C. Stevens and Elder J. Compton were elected commissioner and delegates to the General Assembly at Buffalo. A committee was appointed consisting of Prof. E. J. Thompson, Revs. F. W. Iddings and A. C. Underwood, and the Presbytery met July 18, 1882, to further consider the question of establishing a college. In the contest for the location of the college, Fargo, Fergus Falls and Casselton were the leading contestants, and the latter was selected, but on October 31, 1883, Jamestown was substituted.

The following incorporators were appointed, viz.: Wm. C. White, O. H. Hewitt and Rev. N. D. Fanning of Jamestown; R. S. Adams of Lisbon; D. H. Twomey, Fargo; L. B. Davidson, Bismarck; Rev. F. J. Thompson, Casselton; Rev. F. W. Iddings, Grand Forks; V. M. Kenney, Larimore, and T. E. Yerxa, Fargo.

Special meetings were held in all the Presbyteries in August, 1885, for the purpose of appointing commissioners to meet at Jamestown and unite in effective effort to put the Jamestown college in operation. The result was made manifest in a meeting of the Board of Trustees of the college, at which successful plans were laid for opening the school and erecting the present handsome building.

The incorporators previously selected were: R. S. Adams, Lisbon; D. H. Twomey, Fargo; L. B. Davidson, Bismarck; Rev. E. J. Thompson, Casselton; Rev. F. W. Iddings, Grand Forks; V. M. Kenny, Larimore, and T. E. Yerxa, Fargo.

The Bismarck Presbytery was constituted November 10th, 1884, at Mandan. Rev. Isaac Oliver Sloan was convener and acted as first moderator. Rev. R. H. Fulton was temporary clerk and Rev. John C. McKee was elected stated clerk.

Special meetings were held by all three Presbyteries for the purpose of appointing commissioners to meet at Jamestown and unite in effective efforts to put the Jamestown College in operation with the result above stated.

The Synod of North Dakota was created by the General Assembly, at its meeting in Cincinnati, Ohio, and held its first meeting in the First Presbyterian church in Fargo October 8, 1885, Rev. Francis M. Wood of the Synod of the Northern Pacific Presbytery, having been appointed by the General Assembly of the Presbyterian Church of the United States, to do so, presiding as moderator and preaching the sermon. Rev. Harlan G. Mendenhall was temporary clerk. The Presbyteries of Pembina, the Northern Pacific and Bismarck being united in constituting the same. The Bismarck Presbytery was represented by Rev. J. C. McKee and Rev. L. E. Danks was also enrolled. Northern Pacific Presbytery, Revs. C. W. McCarthy, F. M. Wood, D. E. Bierce, J. E. Vance, E. P. Foresman, E. W. Day, G. S. Baskervill, H. M. Dyckman, Q. L. Young, and Elders McCradie, O. H. Hewitt, J. Duncan, J. C. White, and C. E. Cole; Pembina Presbytery, Revs. John Scott, J. A. Brown, R. Waite, F. W. Iddings, N. W. Carey, C. S. Converse, W. Mullins, W. Cobleigh, D. Williams and H. G. Mendenhall. Rev. F. W. Iddings was elected moderator, Rev. H. G. Mendenhall, stated clerk and treasurer; Rev. E. W. Day, permanent clerk; Rev. L. E. Danks, temporary clerk. Revs. R. A. Beard, William Ewing and H. C. Simmons, of the Congregational Association, S. W. Stevens of the Baptist Association, H. D. Ganse of the Synod of Missouri; H. C. Baskervill, of the Synod of Nebraska; J. H. Long, O. H. Elmer, J. R. Crum and J. P. Schell, of Synod of Minnesota, and W. H. Hunter of the Synod of Pennsylvania were invited to sit as corresponding members.

The several "standing committees" were appointed, among which Revs. L. E. Danks, J. E. Vance and W. Cobleigh were the temperance committee; Revs. J. C. McKee, H. G. Mendenhall and G. S. Baskervill, the Home Mission committee; Revs. M. W. Cary and C. S. Converse and Elder J. R. Clark were the Sabbath School committee; Revs. D. E. Bierce, J. F. Berry and L. E. Danks, the Committee on Education; Revs. F. W. Iddings, I. O. Sloan and H. M. Dyckman, Church Erection committee.

The women of the Synod organized a Synodical Missionary society, composed of the following: Bismarck Presbytery, Mesdames C. B. Austin, L. E. Danks, and C. H. Weaver; Fargo Presbytery, Mesdames F. M. Wood, F. W. Day, and M. J. Montgomery; Pembina Presbytery, Mesdames J. A. Brown, A. J. Goodall, D. Williams and George Bull.

The Synod having received under its care and become responsible for Jamestown College and its interests, and the several Presbyteries having authorized the appointment by the Board of Trustees of a financial agent to raise at least $50,000 for that institution, the Synod endorsed this action, and recommended said institution to the Board of Aid to Colleges and Academies for the full amount applied for. Elder I. M. Adams of Grand Rapids was enrolled. Of the sixty-three churches of the synod, six were reported as "self-supporting."

The following additional ministers were enrolled: Rev. Robert J. Feagles, Menoken; James W. Dickey, Keystone (Monango); C. W. Remington, Milnor; R. W. Ely, La Moure; Q. L. Young, Hunter; J. W. Cathcart, Dougald McGregor, Inkster; H. C. Baskervill, Pembina; W. H. Hunter, Minto, and the following elders and Sunday School superintendents: Bismarck, G. H. Fairchild, J. W. Clark, C. H. Clague and Supt. C. S. Weaver; Glencoe, Alexander Campbell and Supt. Caleb Farr; Mandan, J. R. Clark, S. A. Hoke, A. R. Wingate and Supt. C. A. Heegaard; Sims, J. Hansel, Supt. C. L. Zimmerman; Stanton, Supt. S. C. Walker; Steele, D. D. McLennan and J. Bancroft; Sterling, Elder Adams and Supt. Bratton; Taylor, J. H. Slack; Victoria, Supt. Barton; Washburn, H. S. Ramse[illegible]nd Supt. C. F. Garrette; Ayr, William Aitchison, John Beatty; Buffalo, W. T. [illegible]rieve and L. K. Rich, Supt.; Casselton, Dr. H. J. Rowe, P. H. Houghton, J. C. White; Elm River, Robert McCradie, John Falconer, Supt. James MacAndrew; Fargo, Joshua Duncan, D. H. Twomey, Supt. E. H. Dickinson, E. B. Bruce, P. Picton, H. S. Coffin; Grand Rapids, E. G. Loring, I. M. Adams, Russell Grover; Hillsboro, E. P. Foresman, Supt.; Hunter, Walter Muir, Henry Ruthruff, Rev. Q. L. Young, Supt.; Jamestown, B. M. Hicks, Will H. Burke, F. M. Grove, H. B. Allen, O. H. Hewitt, Supt. B. W. Hicks; Keystone (Monango), Supt. Benjamin Porter; Kelso, David Falconer, Supt. August Rosenkrantz; La Moure, F. M. Kinter, C. P. Smith, Supt.; Lisbon, F. N. Norton, R. S. Adams, Supt.; Mapleton, Aaron Howe, Robert D. Duff, Supt.; Milnor, John Sherman, James H. Vail, J. D. McKenzie, Supt.; McKinnon, Lyman Gray; Page City, Wm. Whistnand, James Whistnand; Sheldon, James Elliott, Wm. Smith, Charles E. Cole, R. G. Hillen, Supt.; Wheatland, T. C. Hall, R. B. McVey, D. Merchison, R. Harrold, Supt.; Tower City, Dr. N. Engle, George F. Clark, R. P. Sherman, Supt.; Arvilla, C. C. Colson, Thos. Sherley, H. D. Wood, Supt.; Ardoch, Wm. Morrison, J. M. Montgomery, M. D., George Stevenson; Alma, Isaac Halliday; Bethel, Geo. Murdock, Joseph Dobie, George Kerby, Joseph Dobie, Supt. Tyner; Bathgate, A. G. Goodall, Duncan McKenzie, Peter McLeod; Bottineau, G. J. Cuthard, John Creig, Supt.; Elkmont, Geo. Hislop, A. R. Freeborn, James McConache; Forest River, John C. Wilson, John Woods; Grand Forks, D. W. Luke, Supt. H. Higgins, W. E. Parsons; Grafton, Frank I. Ludden, W. Shumway, Arch. M. Culley; Greenwood, Nathan Stoughton, Supt. (Turtle River); Hamilton, John G. Lamb, Supt., Thomas Dow, Alex. Rippen; Hyde Park, Owen McQuinn, David Best, H. C. L. Neilson; Inkster, Thomas Casement, John McLarty, T. W. Kernaghan, R. B. Montgomery; Knox, Archibald Miller, Donald

McConnell, Rev. W. H. Hunter, Supt.; Larimore, V. M. Kenney, J. F. Stevens, George Krouse, Prof. Stanton, Supt.; Meckinock, Ebenezer Smith, B. F. Warren, John M. Smith, Supt.; (Arvilla) Neche, John Thompson, Supt.; Osnabrook, David Black, Sr., Rev. J. F. Berry, Supt.; Pembina, David Dick, Patrick Ahern, Supt.; Walhalla, George Campbell; Westminster, Devils Lake, Thompson Walker, LaFayette Palmer, Rev. C. S. Converse, Superintendent.

Jamestown College was organized September 28, 1886, by the election of O. H. Hewitt, secretary of the Board of Trustees consisting of Rev. B. W. Cobleigh, Elders T. E. Yerxa and C. S. Weaver, when the Board of Aid for Colleges, upon request of the Northern Pacific Presbytery, the institution having been duly incorporated and chartered, received Jamestown College under its care. It was also received under the control and management of the Synod.

Rev. F. M. Wood was unanimously recommended for appointment as Synodical Missionary. Rev. N. W. Cary was appointed to compile the facts to be given in the historical addresses and to place them in a permanent form for record. A very pleasant social evening was given by Rev. and Mrs. Cary to the members of the Synod. The Synod heard with great pleasure a report from Rev. N. W. Cary regarding the Fargo Young Ladies' Seminary, which he had established in the gateway city, heartily approved of the same and commended him and his school to the churches.

Rev. Francis Martin Wood was born at Fairton, Cumberland County, New Jersey, June 23, 1834. As a young man he engaged in business in Galveston, Texas. He graduated from Princeton College in 1858; from the Seminary in 1861, and was married to Martha G. Van Tuyl, of Carlisle, Ohio, in 1862, and became pastor of the New Jersey church of Carlisle that year. He served churches in Clifton, Ohio; Marshall, Mich.; San Francisco, Cal.; Oxford and Xenia, Ohio, from 1870-1883. Rev. Mr. Wood came to Dakota Territory in 1883, supplying the new churches at La Moure and Grand Rapids while residing with his family on a homestead south of the former place. In 1884 he was appointed Presbyterial Missionary and from 1885 until 1897 was the Synodical Missionary, after which he entered upon foreign missionary work as assistant superintendent of the mission institute founded by Rev. Andrew Murray, at Wellington, Cape Colony, Africa, and also ministered to the church there, being associated with his son Clifton, who was one of the first students at Jamestown College, North Dakota, in preparation for the work of a foreign missionary. He was a worthy representative of the young college and state in that "far off land." He died April 11, 1914, at Carlisle, Ohio. He was one of the chief promoters in the establishment and early development of Jamestown College, consisting of six buildings, now recognized as a "standard institution of Christian learning," and has financial assets amounting to over five hundred thousand dollars and an additional endowment of three hundred thousand dollars.

The second annual meeting of the Synod assembled at Jamestown, October 8, 1886, Rev. H. G. Mendenhall preaching the sermon, Rev. F. M. Wood constituting the Synod by prayer. Rev. C. B. Austin of Bismarck Presbytery was elected moderator, Rev. N. W. Cary of Fargo, permanent clerk, Rev. J. A. Baldridge, temporary clerk.

The following ministers were reported: Revs. W. T. Gibson, Sterling and Steele; D. C. Wilson, Milnor and vicinity; B. Lyman, Mapleton and Durbin;

J. B. Vance, Keystone; J. A. Baldridge, Larimore; E. B. Taylor, Minnewaukan; R. H. Fulton, Park River; A. G. Forbes, St. Andrew and Lincoln.

This year the following churches were enrolled: West Park, 16 members; Mount View, 11 members; Edmunds, 11 members; Durbin, 19 members; Dickinson, 14 members; Mount Zion, 14 members; St. Andrew, 21 members; Lincoln, 10 members; Gilby, 10 members. Total, 147 members.

Churches have been built as follows: Bismarck, costing over $10,000; Glencoe, Sterling, Milner, Buffalo, Sheldon, Arvilla, Inkster, Minnewaukan, Park River and Minot, ranging in cost from $1,500 to $3,000. Total value about thirty thousand dollars.

The church at Steele was totally destroyed by storm July 3, 1886; that of Keystone was damaged $800, and the church at La Moure was demolished August 16, 1886. Total, seventy churches, six self-sustaining; sixty-four mission churches, thirty-four ministers, 2,000 members, church property valued at about one hundred and twenty-five thousand dollars. Rev. H. G. Mendenhall reported for the Home Mission committee that $500 had been contributed by the churches to the board, an increase of $136.

Rev. N. D. Fanning, president of the trustees of Jamestown College, reported that a board of nine trustees had been appointed, all of whom were Presbyterians, viz.: Hon. D. H. Twomey and T. E. Yerxa of Fargo, L. B. Davidson of Bismarck, R. S. Adams of Lisbon, G. O. Grover of La Moure, V. M. Kenney of Larimore, Rev. F. W. Iddings of Grand Forks, and O. H. Hewitt and Rev. N. D. Fanning of Jamestown.

The officers were: President, Rev. N. D. Fanning; secretary, O. H. Hewitt; treasurer, Wm. M. Lloyd, Jr.; executive committee, T. E. Yerxa, O. H. Hewitt and N. D. Fanning. A financial secretary has been appointed, Rev. R. J. Cresswell of Minneapolis, to work in three Presbyteries in Ohio, Cleveland, Dayton and Columbus. Temporary rooms had been secured and Prof. N. M. Crowe and wife, of Butler, Pa., secured to take charge of the preparatory department. Vigorous action was taken by the Synod for the integrity of the Sabbath and the enforcement of the prohibition law.

The Synod met in Grand Forks, October 13, 1887. Rev. Charles B. Austin of Bismarck preached, Rev. G. S. Baskervill conducted the devotional service. Rev. N. W. Cary was elected moderator, and Rev. W. H. Hunter, temporary clerk. Rev. J. F. Berry read an interesting historical sketch of Pembina Presbytery.

The following organizations were reported: Sanborn church, organized January 23; Rutland, April 17; Binghampton, May 22; Blanchard, June 5; Galesburg, July 24; Pickert, August 21; Oakes, August 28; Minot, March 27; Webster Chapel, September 11; Glasston, October 9. New ministers enrolled: Revs. W. H. Snyder, Mandan; Charles McLean, Pembina; J. Osmond, Bottineau; W. H. McCluskey, Dickinson. Licentiates, William T. Parsons, Boynton; W. C. Whistnand, Colgate; D. J. McKenzie, Milnor; S. J. Webb, Wild Rice. Students, J. C. Howell, Alex. McLeod, W. M. Langdon, William C. Gibson. Elder H. B. Allen of Jamestown was enrolled.

Churches dedicated: Sterling, Sheldon and La Moure. Churches being erected were Emerado, Bottineau, Steele and Hunter. The churches at Larimore, Wheatland and Bathgate provided manses, there being then eighty churches in the Synod, seven self-supporting fields, forty ministers, including licentiates, thirty-seven church buildings, and ten more projected.

In view of the demoralizing influence of the liquor traffic the Synod earnestly called upon its membership to take a stand upon the word of God and faithfully do their duty in uprooting this great evil. It commended the work of the Women's Christian Temperance Union. A popular meeting was held, Rev. Edgar W. Day presiding, addressed by Rev. N. D. Fanning of Jamestown and Mrs. Helen M. Barker of Chamberlain, South Dakota.

A committee was appointed to co-operate with the Women's Missionary Society in the matter of erecting and dedicating a monument at Walhalla to the memory of the martyred Mesdames Spencer and Barnard, consisting of the Revs. J. P. Schell, H. G. Mendenhall, W. H. Hunter, John Scott and E. W. Bay, June, 1888, being the date named.

The Synod met in Bismarck, October 11, 1888, Rev. J. C. Quinn, of Minot, preaching. New ministers and elders were enrolled as follows: Revs. R. H. Wallace, Edgar C. Dayton, W. O. Tobey, Granville R. Pike, George Furness, Samuel Andrews, G. H. Hemmingway, B. Lyman, Robert McGoudie. Elder George Fairbanks was also enrolled.

Rev. W. H. Hunter was elected moderator and Rev. J. C. Quinn temporary clerk. Rev. George Klein, of the North Dakota Baptist Association, and Rev. J. B. Hobart, of the Presbytery of Cleveland, Ohio, were invited to sit as corresponding members.

The fifth annual meeting of the Synod assembled in Fargo on October 10, 1889, Rev. J. A. Baldridge, of Larimore, preaching the sermon from John 6:63. The following were among the new ministers and elders enrolled: Revs. James M. Anderson, B. W. Coe, Wm. Sangree, J. C. Linton, H. McHenry, W. D. Rees, and Elder J. C. White, of Casselton. Rev. G. Sumner Baskervill was elected moderator and Rev. J. P. Schell temporary clerk. The Revs. V. N. Yergin, of the Congregational Association, W. A. Kingsbury, of the General Council of the Lutheran Church, and Rev. J. S. Boyd, of the Synod of Minnesota, were invited to sit as corresponding members.

A proposition was submitted by Rev. F. W. Iddings for publishing a paper at Grand Forks, in the interest of the Synod which was accepted and an editorial committee consisting of Revs. J. P. Schell, W. T. Parsons, J. T. Killen and J. M. Anderson was appointed, and the North Dakota Presbytery was selected October 8, 1889.

At this meeting a report of the committee commending the work of the Sunday school missionary, Eben E. Saunders, was adopted.

Rev. Eben E. Saunders, ordained as a Congregationalist, came to North Dakota from Saginaw, Mich., September 1, 1888, as Synodical Sabbath school missionary. He was the first secretary of the State Sunday School Association, the first secretary of the State Enforcement League, first chairman of the prohibition state committee, and editor of the first prohibition papers, The "Independent" at Grand Forks, and Independent Dakotan, at Jamestown, and later editor and publisher of other publications, always working on uplift lines. He has also been engaged in historical research, contributing a large number of historical letters to the press, and to him, the author is very largely indebted for the data from which this chapter was prepared.

THE MARTYRS OF ST. JOSEPH

In 1849, Reverend James Tanner, a son of John Tanner, who had previously served as an interpreter to the missionaries in Minnesota, visited a brother residing at Pembina, and becoming deeply interested in the spiritual condition of the Indians, made a tour of the east in their behalf, visiting Washington and other cities.

He became connected with the Baptist Church, and returned to St. Joe—a trading post in the Pembina mountains, and at an early day a village quite as important as Pembina—in 1852, accompanied by Elijah Terry, for the purpose of opening a mission among the Indians and half-bloods at that point, but before the summer ended Terry was waylaid by the Sioux, shot to death with many arrows and scalped. He was buried in the Catholic cemetery at St. Joe.

June 1, 1853, another small band of missionaries, consisting of the Revs. Alonzo Barnard, David Brainard Spencer, their families, and John Smith, of Ohio, arrived at St. Joe. For ten years they had labored among the Chippewas in Minnesota at Cass Lake and Red Lake, under the auspices of the American Missionary Board.

Mrs. Barnard's health having failed, she was moved to the Selkirk settlement, where she died October 25, 1852, her husband being compelled, on account of their isolation, to conduct the funeral service himself. Her remains were removed to St. Joe, where they were interred in the yard of the humble mission cabin.

In 1854, Mr. Barnard went east to find a home for his children, and on the way back met Mr. Spencer with his motherless children, their mother having been murdered by the Indians and her remains buried by the side of his co-worker's faithful wife.

The story of the second grave is written in blood. It was early in 1854, and hostile Sioux then infested the Pembina region.

Mrs. Spencer, rising in the night to care for her sick babe, heard a noise at the window, and drawing the curtain to discover the cause, received the fire of three Indians who stood there with loaded guns and fired upon being discovered. Three balls took effect, one in her breast and two in her throat. She neither cried out nor fell, but reeling to the bed, with her infant still in her arms, knelt there, where she was soon found by her husband. She lingered several hours before she died.

When the neighbors came in the morning they beheld a most distressing scene. Mr. Spencer sat as if in a dream, holding his dead wife in his arms. The poor babe lay on his rude cradle, his clothes saturated with his mother's blood, the two other children standing by, terrified and weeping.

The friendly half-bloods came in and cared for the children, and prepared the dead mother for burial. A half-blood dug the grave, and nailed together a rude box for a coffin. Then in broken accents, with a bleeding heart, the poor man consigned to the friendly earth the remains of his murdered wife.

THE MONUMENT

June 21, 1888, one of the most interesting incidents in the history of North Dakota took place at the new Presbyterian cemetery, picturesquely situated on the brow of the mountain overlooking Walhalla, formerly known as St. Joseph or St. Joe.

It was the day appointed by the Ladies' Synodical Missionary Society, of North Dakota, for the unveiling of the monument which they had erected to the memory of Sarah Philena Barnard and Cordelia Spencer, pioneer missionaries to the Indians of the Pembina region.

The monument is a beautiful and appropriate one, of pure white marble.

The broken pieces of the old stone placed on Mrs. Barnard's grave, long ago scattered and lost, were recovered, cemented together, re-lettered, and placed upon the new grave. The venerable Mr. Barnard, then eighty-three years of age, living at Banzonia, Mich., was present, accompanied by his daughter. Standing upon the grave of his martyred wife and Mrs. Spencer, with tremulous voice and moistened eyes, he gave to the assembled multitude a history of their early missionary toil, in the abodes of savagery. Among those present were the half-blood women who prepared Mrs. Spencer's body for burial and washed the babe after its baptism in his mother's blood.

OTHER DENOMINATIONS

Dr. Jared W. Daniels was the first Episcopal clergyman engaged in Indian work in North Dakota, appointed through the Right Reverend Henry B. Whipple, Bishop of Minnesota. The late Bishop Robert Clarkson, Bishop of Nebraska, assisted by Rev. M. U. Hoyt and Rev. S. D. Hinman, in charge of the Indian agencies, established the church in South Dakota, building in 1865 an edifice at Yankton. Under the charge of Bishop Clarkson the early churches at Bismarck, Fargo, Valley City, Jamestown, Grand Forks and Devils Lake were organized. He was followed by Right Reverend William D. Walker, and he by Bishops Morrison, Edsall, Mann and Tyler, each doing excellent work.

Rev. Robert Wainright was the first Episcopal clergyman stationed in North Dakota, and was a resident of Fargo for a number of years with his family. Mr. Wainright came to North Dakota from the lower coast of Labrador, where he had been for some years laboring among the Indians and seal hunters, and was well prepared to endure the hardships of travel in North Dakota during the winter season. All of North Dakota was his parish and Mr. Wainright was expected to visit all parts of his parish at least twice during the summer and once during the winter. There were absolutely no roads outside of the single stage line to Winnipeg, and the United States military trails from one fort to another. The Northern Pacific, after it was built only operated the road during the summer months west of Fargo, and travel during the winter was at the risk of life, and subject to discomforts the present residents of our state cannot conceive and could not believe if told. Mr. Wainright in December would start on a trip over the snow-covered prairies that before his return to Fargo would necessitate his traveling upwards of one thousand miles, taking in Grand Forks, Fort Pembina, Pembina, Fort Totten, Buford, Lincoln, Rice, Seward, Valley City, and other small settlements and single houses. He was once heard of after a long absence well up towards the Turtle Mountains, and on his return was asked how he happened to be as far north of the trail from Pembina to Devils Lake. "Oh," says Mr. Wainright, "I heard of a church family up there and thought I would go and baptize the babies." At another time between Bismarck and Fort Seward the trail was lost and the party spent two days and one night with no fire, and but little to eat. They at last found the telegraph poles that marked the line of the snowed-up Northern Pacific railroad and followed the line into Jamestown. From that point to Fargo, Captain Patterson, of Fort Seward, furnished an ambulance, four mules, and two soldiers as an escort. The ambulance had a stove in it and enough fuel was carried to keep a little fire going, and with one soldier in the saddle to whack the mules and one to build the fires, Mr. Wainright said he felt as if missionarying in North Dakota was a delightful occupation.

He was a broad-minded, liberal-hearted man and was loved and respected by all classes and denominations. When Custer fell, and the boat load of wounded arrived at Fort Lincoln, Mr. Wainright was one of the first to offer his services as assistant in the hospital, and did valuable service there. He delivered the first series of lectures in the dining room of the old Headquarters Hotel in Fargo, for the benefit of the Fargo Church. The lectures were mostly on Labrador and its people. A dog sledge and a forty-foot whip was used to show how missionaries traveled in Labrador. Mr. Wainright was an expert with the whip and we have seen him stand forty feet from a glass filled with water and, with his forty-foot lash he would flick the water out of the glass without upsetting it.

Rev. Hugh L. Burleson was later stationed at Fargo, and his four brothers were engaged in church work at Grand Forks and other points in the state. Their father was a prominent Episcopal minister residing at Faribault, Minn., some years, and later engaged in church work among the Indians in Wisconsin.

The Congregationalists, through Rev. H. N. Gates, were very early in the field, establishing schools and Sunday schools in 1872 at Wahpeton, Fargo, Grand Forks and at the construction camps on the extension of the Northern Pacific Railroad.

The activities of the early Methodists are related in a previous chapter. The work of the Baptists, Lutherans and other denominations can not be given with that degree of accuracy to which they are entitled and must be omitted.

The German Baptists formed colonies which came in by train loads through the activities of the Northern Pacific and Great Northern Railroads, locating principally in Foster, Eddy, Ramsey, Towner, Rolette and Bottineau counties, Max Bass, of the Great Northern Railroad, devoting the best part of his life to the organization and welfare of these colonies in which the late James J. Hill took a special interest, authorizing the construction of branch lines of railroad in the northern part of the state about every fifty miles, as the free lands became occupied by them.

All denominations have contributed their strength for the uplift of men, and in making the state one of the strongest and best, particularly from the moral standpoint, in this Great Republic. Of one thing all may be certain; there are no treason-breeding spots in the church organization of this country.

CHAPTER XLI

ORIGIN OF THE SCHOOL LAND SYSTEM

GENERAL WILLIAM H. H. BEADLE, THE SCHOOL LAND PROTECTOR—A WELL DESERVED TRIBUTE—THE SCHOOL FUNDS—LANDS FOR PUBLIC INSTITUTIONS—THE COAL LANDS A PERPETUAL HERITAGE—A LAST WORD—THE NATIONAL UNITY LEAGUE—AN AMERICAN CREED—IMPORTANCE OF PARTY ORGANIZATION—THE FLAG SALUTE—CONCLUSION.

> "'Tis education forms the common mind.
> Just as the twig is bent the tree's inclined."
> —*Alexander Pope. Moral Essays.*

ORIGIN OF THE SCHOOL-LAND SYSTEM

The idea of assigning a constant share of all United States public lands, for the support of free education, wherever the public domain might extend beyond the limits of the original states, was first engrafted upon this nation, by our Revolutionary forefathers, in the general ordinance for public surveys, passed by Congress May 20, 1785; this great statute devoting section 16 in each township "for the maintenance of public schools within the said township."

This original benefaction for education was doubled for the Dakotas and some other states, by subsequent legislation adding section 36, thus granting one-eighteenth of the lands surveyed; and in the newer states of Utah, New Mexico, Oklahoma and Arizona, Congress granted school selection in certain sections additional to the original two.

It was known, through the unfortunate experience of various new regions, that school sections were the peculiar prey of designing parties who could manipulate legislatures and authorities, thereby securing to other interests the lands which the people supposed to be protected for future education; but which the educator often found to have been squandered for selfish schemes.

BEADLE, THE PROTECTOR

One man, appointed Territorial Superintendent of Public Instruction, Gen. William H. H. Beadle, saw his duty in the case and accepted its labors and responsibilities. He was fully awake to this constant menace, and he made vigorous campaigns through the territory to reach the people and rouse a determination to protect the common-school fund by a fundamental law in the Constitution, before impending statehood might encourage political magnates to loot the school lands.

In 1889, his hour of triumph came. Though he was not a delegate to the

Constitutional Convention for South Dakota, he was chosen to write the paragraphs covering his favorite topic, and prohibiting the sale of a single acre of school land for less than ten dollars; with other provisions for securing fair value in each sale, and for guarding the state fund from impairment or loss.

North Dakota adopted the same safeguards, and no part of our Union is more generously supplied with school support. In the other territories, since admitted as states, Congress has taken care to embody the Beadle plan, or some efficient modification thereof.

THE MARBLE STATUE

In 1910, the love of a grateful school population of his state, was proved by a public testimonial, providing by subscriptions and small contributions at "Beadle-day" gatherings, a fund of $10,000 for a marble statue of the protector. This was soon erected and unveiled in the State Capitol at Pierre, S. D., with honors appropriate to his eminent services to his state and his country, and bearing the inscription:

"He Saved the School Lands".

In 1857, young Beadle went from an Indiana farm to Michigan University. From graduation, he promptly went into the Civil War, where years of active service earned his title of brevet brigadier general. For nearly forty years more, he gave his talents to the public interests of Dakota, especially as president of her first Normal School, after first being Surveyor General and Superintendent of Public Instruction. Only one other distinguished American leader of educational progress has been thus honored by a statue while living, namely, Horace Mann, of Boston.

The provision for $10 per acre gave the state over $15,000,000; and none of the lands can be sold for less than that sum. Some have been sold at upwards of fifty dollars per acre, and much of it at more than double the limit fixed. All of the money arising from the sale of school lands must be invested in bonds of school corporations of the state, in bonds of the United States, bonds of the State of North Dakota, or in first mortgage bonds on farm lands in the state, not exceeding in amount one-third of the actual value of any subdivisions on which the same may be loaned, such value to be determined by the board of appraisers of school lands.

The fund arising from the sale of school lands must be treated as a permanent fund, and only the income appropriated for the maintenance of the schools. The latter is apportioned to the school corporations of the state in proportion to the attendance in the public schools. The percentum granted to the state from the sale of public lands by the United States; the proceeds of property that shall fall to the state, by escheat; the proceeds of all gifts that may be donated to the state, not otherwise appropriated by the terms of the gifts or donations; these and all other property otherwise acquired, must remain a part of the permanent school fund, which can never be diminished, and the state is required to make good all losses. If any of the interest remains unexpended during any year, that, too, must go into the permanent school fund.

Various efforts were made in the early days of statehood, to reduce the price of the lands, especially in the grazing regions of the state, but all failed, thanks to the vigilance of the people; but provision was made for the leasing of lands for hay and grazing, where there was no immediate prospect for sale at the price fixed; but none of the public school lands were allowed to be cultivated. Where settlement was made on unsurveyed school lands, the state was granted lieu lands; and when reservations were opened to settlement the state was allowed first choice of lands so opened, to cover the loss of school lands within such reservations or otherwise.

Other lands were granted to the state for Agricultural College, Normal Schools, an Industrial School, School of Forestry, School of Mines, Capitol, Penitentiary, Hospital for the Insane, schools for the Deaf and Blind, Soldiers' Home, and other purposes, aggregating 750,000 acres. These, too, were guarded by similar provision, proving that the Congress, the Constitutional Convention, the Legislative Assembly, and the people, were on the alert to protect their heritage derived from the General Government.

The coal lands, however, aggregating many thousands of acres in the western part of the state, which fell within the grants to the state, can never be sold; they can only be leased, and the proceeds arising from such leasing go into the school fund; also all fines for the violation of any state law.

A LAST WORD

In these days of new parties, new patriotic organizations and a world-wide war, the New League for National Unity, organized at Washington October 8, 1917, appeals to the writer of these pages as being timely. Its principles are admirably stated as follows:

"In an hour when our nation is fighting for the principles upon which it was founded, in an hour when free institutions and the hopes of humanity are at stake, we hold it the duty of every American to take his place on the firing line of public opinion.

"It is not a time for old prejudices or academic discussion as to past differences. Those who are not for America are against America.

"Our cause is just. We took up the sword only when international law and ancient rights were set at naught, and when our forbearance had been exhausted by persistent deception and broken pledges.

"Our aims are explicit, our purposes unspoiled by any selfishness. We defend the sanctities of life, the fundamental decencies of civilization. We fight for a just and durable peace and that the rule of reason shall be restored to the community of nations.

"In this crisis the unity of the American people must not be impaired by the voices of dissension and sedition.

"Agitation for a premature peace is seditious when its object is to weaken the determination of America to see the war through to a conclusive vindication of the principles for which we have taken arms.

"The war we are waging, is a war against war, and its sacrifices must not be nullified by any truce or armistice that means no more than a breathing-spell for the enemy.

"We believe in the wise purpose of the President not to negotiate a peace with any irresponsible and autocratic dynasty.

APPROVE SENDING TROOPS

"We approve the action of the national government in dispatching an expeditionary force to the land of Lafayette and Rochambeau. Either we fight the enemy on foreign soil, shoulder to shoulder with comrades in arms, or we fight on our own soil, backs against our homes—and alone.

"While this war lasts, the cause of the allies is our cause, their defeat our defeat, and concert of action and unity of spirit between them and us is essential to final victory. We, therefore, deprecate the exaggeration of old national prejudices—often stimulated by German propaganda—and nothing is more important than the clear understanding that those who in this present crisis attack our allies, attack America.

"We are organized in the interests of a national accord, that rises above any previous division of party, race, creed and circumstances.

"We believe that this is the critical and fateful hour for America and for civilization. To lose now is to lose for many generations. The peril is great and requires our highest endeavors. If defeat comes to us through any weakness, Germany, whose purpose for world dominion is now revealed, might draw to itself, as a magnet does the filings, the residuum of world power, and this would affect the standing and the independence of America.

PLEDGE SUPPORT TO END

"We not only accept but heartily approve the decision reached by the President and Congress of the United States to declare war against the common enemy of the free nations, and, as loyal citizens of the United States, we pledge to the President and the Government our undivided support to the very end."

The following from *The Outlook* is commended to the liberty-loving people of our country. It is a platform on which all true Americans may stand, broad enough to comprehend all:

AN AMERICAN CREED

I am an American.

I believe in the dignity of labor, the sanctity of the home and the high destiny of democracy.

Courage is my birthright, justice my ideal and faith in humanity my guiding star.

By the sacrifice of those who suffered that I might live, who died that America might endure, I pledge my life to my country and the liberation of mankind.

NECESSITY FOR PARTY ORGANIZATION

While there should be no division in purpose to maintain the principles upon which our Government is founded: "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed," as proclaimed in the Declaration of Independence, there is need of "eternal vigilance, the condition upon which God hath given liberty to man," and this can be promoted by party organizations where each shall act as a check upon the other, all having the public good in view.

In 1892, the author said in the Fargo Argus:

"I can conceive of circumstances where it is not only right to scratch, but it may be justifiable to vote for the opposition candidate, but this should be done only when it is necessary to suppress ring politics and teach a lesson which will not soon be forgotten.

"Two parties are essential to good government, for only through contention can the right most certainly prevail. When the great majority rule and the minority have sunk into 'innocuous desuetude' through lack of interest or the overwhelming power of corrupt methods, good government cannot long survive. No matter how pure the purposes of the central organization may be, when there is no longer opposition in the branches disease and corruption may creep in, and can only be prevented from gaining the supremacy by keeping alive the opposition.

"One of the great parties should live to correct the errors of the other. There is no democrat so good, so pure, so able, that there is not a republican who is his equal, and if the party fails to nominate him, the party will surely suffer; or if it fails to do right by the people, the people will set it right in the next contest either by the nomination of a better man or his defeat at the polls.

"Corruption in politics cannot survive where both parties are equally intent on proving that they are faithful, and worthy to be trusted with the affairs of government, and it ought to be a source of pride to a man, that he is a democrat or a republican or a populist, as the case may be, and he ought to be able to give a reason for the faith that is in him. It is related of John Randolph, that as he called the name of a bitter personal enemy, who had been placed on his party ticket, (they voted viva voce then in his state), the gentleman named rushed to him and extended his hand. Randolph refused it and said: 'You are not my friend.' 'Then why did you vote for me?' 'I voted for my party and for its principles,' Randolph replied.

"No such sentiment has found a resting-place in democratic hearts in North Dakota, I assert, and I am sure that Capt. Dan Maratta, chairman of the democratic state committee, will bear me out in the assertion, that there has never been a corrupt deal in the politics of the state, territory, county or city at Bismarck, that democrats were not among the leading factors in it. In the local politics, it was never possible to post up a democratic ticket and fight for it on principle, with any hope of carrying even a majority of those who claimed to be democrats. At the polls, they were strikers for ring methods and ring candidates, hireling workers for the spoils of office. Sometimes the ticket was labeled republican, sometimes democratic and sometimes independent, but the ring ticket always had the same names on it, the same supporters at the polls, and usually accomplished the same results. Republicans tried to organize the republican party and hold it together for purer and better politics. Maratta and Gray and a few others tried to secure organization of the democratic party with the same object in view, but it could not be done. And why? Because the parties throughout the territory were not organized with a view to contentions for principles. Men were doing just what the *Herald* advised them to do, viz.: voting for their personal interests instead of for the public good.

"And when it came to legislative affairs, as the democrats had no principles to sustain, no party purposes to accomplish, the democratic contingent became simply a recruiting camp for votes for corrupt deals, though they were not all corrupt. The majority of them had their glasses out, and they were turned here and there in search of some personal advantage, and whenever the band wagon came along, and it did not make any difference to them whether it was labeled democratic or republican so it was a sure enough band wagon, they bade good bye to their principles, tumbled their candidates into the mud and scrambled on, happy in the thought that they had accomplished something for themselves.

"It ought to be a reproach to a man to vote on an opposition ticket except to correct some great wrong. It ought to be cause for defeat when one on a republican or democratic ticket seeks for the endorsement of the opposition. In the old states, where party pride is at par, one would be removed from a ticket, should he seek thus to advance himself above his fellows. He simply becomes a neutral, and is a load rather than a help to the ticket. The motives of those who scratch, are also closely scrutinized, and personal interests are never recognized as a good reason for betraying the party.

"The motives of the democratic electors generally are as pure as those of any other class, but until there is organization and pride in organization, and an honest contention for party principles the democratic party can not be a factor for good in this state. In the present campaign they have given up all the ground they have ever gained. They have gone out of business. They have made it impossible for a single democrat in North Dakota to vote for Grover Cleveland, or for the principles which are supposed to be dear to every democratic heart. They have robbed Judge O'Brien, of the strength and enthusiasm of democratic associates on a state and national ticket, and have left him to contend alone, and are out on a sneak for a United States senatorship, which they can never gain, unless republicans forget their duty to the nation in their contention for personal interests. The United States Senate has five republican majority. The democratic gerrymander in New York sustained elects a democrat in place of Hiscock. Wisconsin is now reaching its third gerrymander, the other two having been knocked out by the courts, in order to defeat Sawyer, and the loss of a republican senator in North Dakota, will give the Senate to the democrats. Misguided indeed must be the republican heart which will sacrifice republican principles and republican supremacy for purely personal interests. Don't do it. Stand by your party, and by its principles, and do your reforming within party lines."

In the present day there may be need of a third party to prevent or take advantage of party demoralization; and if that party stands on the broad principles of the proposed American Creed, it will stand for God and country and for the United States flag; and every man in it, if he be a true American, will be ready to salute its folds with the spoken vow first suggested by Colonel George F. Balch in 1891, for use in the public schools of New York, adopted by the American Flag

Association, by the Grand Army of the Republic and all patriotic bodies, exacted in the Army and Navy and fervently uttered by the millions in the public schools.

> "I pledge allegiance to my Flag, and to the
> Republic for which it stands;
> One Nation, indivisible;
> With Liberty and Justice for all."

CONCLUSION

This work represents research of nearly thirty years. The limit of time and space has been reached. From a mass of rare and precious historic material, the chief gems have been selected and offered in concise form. To the remainder, still rich in future value, I must bid adieu.

February 27, 1919. THE AUTHOR.

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NOTE: World war; remote cause of victory; Union Grand Armies extinguished Rebellion in 1865. In 1915 united America succored despairing Europe, conquering the Huns. Rebel policy of 1861, if then triumphant, would have broken up America, made us unable to resist Germany.

Hence, Union victories of 1865 saved the life of Belgium, France and Britain in 1918, 53 years later.

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